



Deposition of:
Denise Maples

August 9, 2019

In the Matter of:
Maples, Cory R. Vs. Dunn, Jefferson S.

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IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ALABAMA
EASTERN DIVISION

CORY R. MAPLES,)
Petitioner,)
)
vs.) CIVIL ACTION NO.
) 5:03-CV-02399-KOB
JEFFERSON S. DUNN,)
Commissioner of the Alabama)
Department of Corrections,)
Respondent.)

DEPOSITION OF DENISE MAPLES

August 9, 2019
10:00 a.m.

Taken at:
Pacific Office Center
310 K Street, Suite 200
Anchorage, Alaska 99501

Reported by: Sandra M. Mierop, CRR, CCP, CBC

APPEARANCES

For the Petitioner, CORY R. MAPLES:

LATHAM & WATKINS LLP

555 11th Street, NW

Suite 1000

Washington, D.C. 20004

(202) 637-2303

By: Elana Nightingale Dawson

Anna M. Rathbun

For the Respondent, JEFFERSON S. DUNN,
Commissioner of the Alabama Department of
Corrections:

OFFICE OF THE ATTORNEY GENERAL

STATE OF ALABAMA

501 Washington Avenue

Montgomery, Alabama 36104

(334) 353-1209

By: Beth Jackson Hughes

Lauren A. Simpson

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Bates Nos. Maples 0000024 - 0000049

1 DENISE ANDREA IMGRUND MAPLES,
2 being duly sworn, testified as follows:

3 EXAMINATION

4 Q. (BY MS. NIGHTINGALE DAWSON) Good
5 morning, Ms. Maples.

6 Could you please state your full
7 name for the record?

8 A. Denise Andrea Imgrund Maples.

9 Q. Have you ever testified before, either
10 at trial or deposition?

11 A. No.

12 Q. Okay. I'm going to walk through a few
13 instructions for this deposition.

14 First, understand that all of
15 your comments are being recorded by the court
16 reporter. I'd like you to please help the
17 court reporter. One way to do that is to make
18 sure that only person is speaking at a time;
19 and so, please wait until any question is
20 finished being asked before you answer.

21 Please speak up and answer
22 questions verbally and do not use gestures.
23 So, for -- similarly, please say "yes" instead
24 of saying "uh-huh"; and, for example, please
25 say "yes" or "no" instead of shaking your head.

1 If you don't understand a
2 question, please say so. And after the
3 deposition the court reporter is going to
4 prepare a transcript. You'll have an
5 opportunity to review that and make any
6 changes. However, if you do make changes,
7 people might take note of those changes and use
8 them in questioning your credibility.

9 Is there anything today that
10 would impair your ability to testify truthfully
11 and accurately today?

12 A. No.

13 Q. Okay. And, for example, are you ill
14 or are you taking any medications that could
15 impair your ability to think clearly and give
16 responsive answers?

17 A. No.

18 Q. Okay. Thank you. I'd like to start
19 by asking: Where were you born?

20 A. I was born in Bedford, Pennsylvania.

21 Q. And what are your parents' names?

22 A. My mother was Aldine, and my father
23 was John.

24 Q. Okay. And how many siblings did you
25 have?

1 A. I have three siblings.

2 Q. What are their names?

3 A. John, Gwen, and then David.

4 Q. Okay. What was life -- life like for
5 you growing up?

6 A. We moved a lot initially, but it
7 was -- it was -- it was a good life.

8 Q. Okay. And where did you move growing
9 up?

10 A. We moved from Pennsylvania to Florida,
11 to Memphis, to Decatur.

12 Q. And how old were you when you made
13 that first move from Pennsylvania to Florida?

14 A. Seven.

15 Q. Okay. And just backtracking for a
16 moment, what year were you born?

17 A. 1955.

18 Q. Okay. And how old were you when you
19 made the move from Florida to Memphis?

20 A. Eight.

21 Q. Okay. And do you recall how old you
22 were when you moved from Memphis to Decatur?

23 A. 15. And I -- there is one other
24 place.

25 We were in Birmingham, Alabama

1 for about six months.

2 Q. Okay. And do you recall when you were
3 in Birmingham?

4 A. Somewhere before we moved to Memphis.

5 Q. Okay. So, you moved from Florida --

6 A. To Birmingham.

7 Q. -- to Birmingham?

8 Okay. And what -- why did you
9 move around so much?

10 A. My father's job.

11 Q. And what was your father's job?

12 A. Well, initially, he was a truck
13 driver; but then he was in management and
14 safety coordinator for a company.

15 Q. Okay. Was that a trucking company?

16 A. Uh-huh.

17 Q. And did he have to travel for his job?

18 A. Yes, he did.

19 Q. Okay. How often was he gone?

20 A. Pretty much all during the week and
21 home on the weekends.

22 Q. Okay. And who took care of you during
23 the week?

24 A. My mother.

25 Q. How would you describe your mother?

1 A. My mother was firm, but caring.

2 Q. And what do you mean by "firm"?

3 A. She maintained -- she maintained
4 order. She kept -- kept us where we were -- we
5 were obedient. And she was also there all the
6 time, and anything that we needed she would,
7 you know, be there to help us with it. But she
8 believed in discipline.

9 Q. Okay. How did she maintain order?

10 A. Pretty much what she said, we did; and
11 if we didn't do it, then we would be spanked.

12 Q. Okay.

13 A. That was --

14 Q. Were there any other forms of
15 discipline that she used?

16 A. No.

17 Q. Okay. Were you close with your
18 mother?

19 A. No.

20 Q. How would you describe your
21 relationship with your mother?

22 A. Tumultuous.

23 Q. And why was it tumultuous?

24 A. I constantly challenged her.

25 Q. Can you give me an example?

1 A. If she'd said that we needed to be in
2 by, say, 3:00 in the afternoon, I would come in
3 at 3:30.

4 Q. And how did she react to that?

5 A. She would just say you -- she would
6 react in -- just say, like, "Tomorrow you have
7 to be home by 2:00. Everybody else can come
8 home at 3:00."

9 So, she would -- there would
10 always be a consequence for that.

11 Q. Did your mother ever yell at you?

12 A. Yes.

13 Q. Can you give me an example?

14 A. If we -- if we had disobeyed her in
15 any way. If we did not listen to what she had
16 told us; and, say, we went to the store by
17 ourselves and we got home, she would yell at
18 us.

19 Q. And how did that make you feel?

20 A. A little angry and a little sad that
21 we were fighting again.

22 Q. Did you and your mother fight often?

23 A. Yes.

24 Q. Okay. Would you describe your mother
25 as caring?

1 A. Yes.

2 Q. Did your mother ever physically hurt
3 you?

4 A. Just spankings.

5 Q. Okay. Did your mother ever use a
6 paddle?

7 A. That's what we had. That's what she
8 used.

9 Q. Okay. Did she ever use a switch?

10 A. No.

11 Q. Did she ever use a belt?

12 A. No.

13 Q. Okay. Where was your father when this
14 was happening?

15 A. He was either on the road or back at
16 home.

17 Q. Do you recall how often you were
18 spanked with a paddle?

19 A. No.

20 Q. Okay.

21 A. It was -- no.

22 Q. Do you recall how -- strike that.

23 Do you recall how old you were
24 when you were last spanked with a paddle?

25 A. Not -- I don't know.

1 Q. What was your relationship like with
2 your father?

3 A. I was close to him.

4 Q. Why did you view your relationship was
5 close?

6 A. We -- I spent a lot of time with him.

7 Q. And was that on the weekend?

8 A. And -- yes. And during the week, if
9 he was home.

10 Q. Did you spend a lot of time with your
11 mother?

12 A. My mother was there all the time, but
13 not a lot of, like, one-on-one time.

14 Q. Why was that?

15 A. Most of the time we -- when we got up,
16 we wanted to go outside and play.

17 Q. And what kind of time did you spend
18 with your father?

19 A. He would take us swimming. He'd take
20 us different places when he came home on the
21 weekend. So, we spent a lot of time with him
22 doing those kind of activities.

23 Q. Did your mother take you swimming?

24 A. My mother didn't drive. So, no.

25 Q. Did your father ever physically hurt

1 you?

2 A. He spanked.

3 Q. Okay. What did he use to spank?

4 A. The paddle.

5 Q. And did he discipline you in any other
6 ways?

7 A. No.

8 Q. What was your parents' marriage like?

9 A. Good. It was -- it was a good
10 relationship.

11 Q. Did they ever yell at each other?

12 A. Yes.

13 Q. Did your mother ever hit your father?

14 A. No.

15 Q. Did your father ever hit your mother?

16 A. No.

17 Q. Did your mother ever lose her temper
18 with your father?

19 A. Yes.

20 Q. Can you give me an example?

21 A. No. They -- if -- I just don't have a
22 specific example.

23 Q. That's okay.

24 Returning to your siblings --
25 strike that.

1 Did your father ever hit your
2 mother?

3 A. I believe there was a time. I did not
4 see it.

5 Q. What do you -- why do you think there
6 was a time?

7 A. They -- there was a fight, and then
8 there was a sound of someone falling.

9 Q. Okay. And do you know anything about
10 what the fight was about?

11 A. I have no idea.

12 Q. Do you recall what happened after you
13 heard someone falling?

14 A. Tears.

15 Q. Do you know whose tears -- who was
16 crying?

17 A. My mom.

18 Q. Okay. And who was the fight between?

19 A. Just she and my dad.

20 Q. And do you know what the fight was
21 about?

22 A. No.

23 Q. Do you know if anybody else was
24 present with them?

25 A. No.

1 Q. Did you see your mother after that?

2 A. Uh-huh.

3 Q. And did you talk to her?

4 A. Yes -- the next morning.

5 Q. Okay. And did you see any marks on
6 her?

7 A. No.

8 Q. Okay. Did you see your father after
9 that?

10 A. Yes.

11 Q. Okay. And did you ever ask what had
12 happened?

13 A. Yes.

14 Q. And do you remember what you were
15 told?

16 A. That he had lost his temper and he
17 would not let that happen again and he
18 apologized.

19 Q. Okay. And how old were you at that
20 point?

21 A. Seven?

22 Q. Returning to your siblings, how would
23 you describe Gwen?

24 A. Very quiet. Always obedient.

25 Q. And what was your relationship like

1 with Gwen?

2 A. We shared the same room. We -- we had
3 a good relationship.

4 Q. Were you close?

5 A. Yes, but we didn't spend a lot of time
6 together. There was a bit of an age difference
7 there. So, she and I didn't usually, you know,
8 have the same friends that we played with
9 during the day.

10 Q. And who was the oldest?

11 A. I was.

12 Q. Who was the second oldest?

13 A. Gwen.

14 Q. And what was the age difference?

15 A. Four.

16 Q. Four years?

17 A. Yes.

18 Q. And who was the third?

19 A. John.

20 Q. And how much younger was John than
21 Gwen?

22 A. He was a year younger.

23 Q. Okay. So, he was five years younger
24 than you?

25 A. Uh-huh, uh-huh.

1 Q. And how much younger was David?

2 A. David was 12 years younger than I was.

3 Q. And what was your relationship --
4 strike that.

5 How would you describe John?

6 A. John was always a lot of fun.

7 Q. And what was your relationship like
8 with John?

9 A. Good.

10 Q. And what was John's relationship like
11 with your parents?

12 A. Good.

13 Q. What was Gwen's relationship like with
14 your parents?

15 A. Good.

16 Q. Why do you say it was good?

17 A. Because she -- she always -- she
18 didn't get in trouble that much, and she spent
19 a lot of time with Mom. Not so much with Dad,
20 but she spent a lot of time with Mom.

21 Q. Do you know why she doesn't spend as
22 much time with your dad?

23 A. No. No -- no.

24 Q. Did you spend more time with your dad
25 than Gwen?

1 A. Uh-huh.

2 Q. And did she spend more time with your
3 mom than you did?

4 A. Uh-huh -- yes, yes.

5 Q. And do you know why?

6 A. No.

7 Q. And what was John's relationship like
8 with your parents?

9 A. With my mother, he had a good
10 relationship. With my father, they were at
11 odds a lot.

12 Q. Can you give me an example?

13 A. He -- if there was anything that we
14 got into trouble with, my dad would usually
15 focus on John.

16 Q. And what would that -- what is an
17 example of what that focus might look like?

18 A. When we -- we had a baseball that got
19 hit through our bathroom window, and my brother
20 was immediately blamed for it. But he did not
21 hit the baseball.

22 Q. Who hit the baseball?

23 A. Another child that we were playing
24 ball with.

25 Q. And did anyone tell your Dad that?

1 A. Uh-huh, it took the other child coming
2 to my dad for him to realize.

3 Q. Who tried to tell your dad that in
4 your family?

5 A. All -- my sister and I.

6 Q. Was David born yet at that point?

7 A. I don't know.

8 Q. Okay. And what was David like?

9 A. David was -- David -- he was a good
10 boy. I didn't spend a lot of time with David,
11 growing up, because there was such an age
12 difference, but he -- he was a good boy. He
13 was a good kid.

14 Q. What was his relationship like with
15 your parents?

16 A. He had a very good relationship with
17 my parents.

18 Q. Okay. And do you have an example of
19 why you think that?

20 A. He -- not a particular one comes to
21 mind.

22 Q. And what is -- I know my questions are
23 focused on kind of what they were like. What
24 is Gwen like as an adult?

25 A. Very successful. And we had -- she is

1 very caring.

2 Q. And what is John like as an adult?

3 A. John is -- John has had some
4 struggles, but he is -- he is very -- I guess,
5 caring individual. Involved in a lot of
6 charities and other work.

7 Q. Okay. What -- can you give me
8 examples of the struggles he's had as an adult?

9 A. He's struggled with alcohol for a long
10 time.

11 Q. Does he still struggle with alcohol?

12 A. No.

13 Q. Okay. Do you know if he still drinks?

14 A. No, he does not.

15 Q. How do you know that?

16 A. The way he behaves.

17 Q. Okay. Is it possible he could be
18 drinking and you wouldn't know?

19 A. That -- that could be possible, but
20 he's also been going to AA and really worked
21 hard on his sobriety.

22 Q. Do you know when he started drinking?

23 A. No.

24 Q. Okay. And do you know when you --
25 when you think he stopped drinking?

1 A. Uh-huh.

2 Q. When is that?

3 A. 2013 or '14.

4 Q. If he started drinking again, do you
5 think he'd want to keep that from you?

6 A. Probably, yes.

7 Q. Okay. And what was David like as an
8 adult?

9 A. David was very volatile, very angry.

10 Q. Was he ever violent?

11 A. Yes.

12 Q. How do you know that?

13 A. Because I witnessed his violence.

14 Q. Can you -- tell me what you witnessed.

15 A. He would get very angry if you did
16 things in the house that weren't what he'd
17 asked you to do.

18 Q. Can you give an example?

19 A. Accidentally went in his bedroom,
20 opened the door, realized this isn't his
21 bedroom and walked back out, and he began to
22 yell at me.

23 Q. And then what did you do?

24 A. I just told him that it was a mistake
25 and that I was sorry, and that was the end of

1 the argument.

2 Q. And what house was this in?

3 A. That was in my dad's house.

4 Q. Okay. And where was David living at
5 the time?

6 A. In my dad's house.

7 Q. And when was that?

8 A. I don't know the year.

9 Q. Okay. Were you an adult?

10 A. Yes.

11 Q. Okay. Did you ever see David hit
12 anybody?

13 A. No.

14 Q. Was David ever angry towards your
15 father?

16 A. Always.

17 Q. Okay. Can you give us a specific
18 example?

19 A. He just stayed angry at my dad.

20 He would just get angry and yell
21 and then go to his room and shut the door.

22 Q. Do you know why he was always angry at
23 your dad?

24 A. He was an alcoholic.

25 Q. Was that David?

1 A. Yes.

2 Q. Okay.

3 A. And he also, I believe, used drugs at
4 some point.

5 Q. Do you know what drugs he used?

6 A. No, I do not.

7 Q. Do you know when he started drinking
8 alcohol?

9 A. Probably somewhere in the early
10 2000 -- maybe before then, and then somewhere
11 before then.

12 Q. Okay. And did he ever stop drinking?

13 A. No.

14 Q. Okay. Do you know where David is now?

15 A. Well, he's passed away.

16 Q. When did he pass away?

17 A. 2012.

18 Q. And how did he die?

19 A. He and my father died in a fire.

20 Q. Okay. And where was that?

21 A. In Tennessee.

22 Q. Okay. Where was the fire?

23 A. At their home.

24 Q. Were they living together?

25 A. Yes.

1 Q. Okay. When did David move in with
2 your father?

3 A. My David -- my brother never moved out
4 from my father.

5 Q. Who in your immediate -- did any --
6 strike that.

7 In addition to David and John,
8 did anyone else in your immediate family
9 struggle with alcohol?

10 A. No.

11 Q. Did anyone else in your extended
12 family struggle with alcohol?

13 A. Yes.

14 Q. Who?

15 A. My grandparents on my Mom's side, my
16 grandfather was an alcoholic.

17 Q. What was his name?

18 A. Jake -- Jacob.

19 Q. How do you know that?

20 A. I saw evidence of it, and I was also
21 told by my mother.

22 Q. What evidence did you see?

23 A. Erratic behavior, yelling at everyone,
24 and going out in the back and drinking.

25 Q. Okay. And do you know what your

1 mother's relationship was like with her father?

2 A. He was always very calm and glad to
3 see my mom when we came to visit. I -- that's
4 what I remember.

5 Q. Do you know whether he was calm when
6 she was growing up?

7 A. I don't.

8 Q. Can you give me an example of the
9 erratic behavior that you saw from your
10 grandfather?

11 A. I had a retainer when we went there to
12 visit and I wanted to take the retainer out so
13 that I could eat, and I didn't want to do it in
14 front of everyone. So, I left to go find a
15 place to take it out; and he followed me,
16 yelling at me.

17 Q. Okay. What was he yelling?

18 A. Just, "What's wrong with you? Why are
19 you leaving? Where are you going?"

20 I said, "I just want to do
21 something."

22 And my mother said, "Leave her
23 alone. She's going to take her retainer out."

24 And he said, "You can do it
25 here."

1 And I said, "No," and I went in
2 the bathroom.

3 Q. Was there anything else?

4 A. No.

5 Q. Okay. Was anybody else in your
6 extended family an alcoholic?

7 A. Not that I know of.

8 Q. Just to ask about specific people, do
9 you know whether --

10 A. Sorry. I did have an aunt who used
11 alcohol, but --

12 Q. What was her name?

13 A. Bernadine.

14 Q. Okay. And how did you know that?

15 A. Because she always had a beer in her
16 hand.

17 Q. What was her behavior like?

18 A. What was --

19 Q. What was her behavior like?

20 A. She could get angry pretty easily, but
21 she was always a lot of fun.

22 Q. Do you know whether either of John's
23 parents were alcoholics?

24 A. No.

25 Q. Okay. What about John's grandmother?

1 A. No.

2 Q. Do you know whether John's grandfather
3 was an alcoholic?

4 A. I -- I -- no.

5 Q. Okay. Do you have any cousins who
6 were alcoholics?

7 A. I don't know.

8 Q. Okay. Did any of your immediate
9 family members have any mental illnesses that
10 you know of?

11 A. No.

12 Q. Did anybody in your immediate family
13 have mood swings?

14 A. Yes.

15 Q. Who?

16 A. My mother.

17 Q. Can you give me an example?

18 A. Just that she would be tearful
19 sometimes at night and then she would be happy
20 and then she would get angry.

21 Q. Okay. And what kind of things would
22 make her angry?

23 A. Just -- if she felt like we were being
24 disobedient.

25 Q. Were there ever times she got angry

1 that you didn't know why she was getting angry?

2 A. Uh-huh. Yes.

3 Q. Okay. And were there ever times that
4 she was tearful that you didn't know why she
5 was tearful?

6 A. No.

7 Q. Were you ever afraid of your mother?

8 A. Can you define the fear that you're
9 addressing? I had a -- a respect for my
10 mother.

11 Q. What do you mean by "respect" for your
12 mother?

13 A. She made things very clear, what her
14 expectations were, and that I was aware of --
15 by "respect," I mean -- I'm -- I'm having a
16 hard time putting this into words.

17 I knew that she really cared for
18 us, and she was having a hard time dealing --
19 by herself and being away from her family. And
20 I knew that if we did not do what we needed to
21 do, then she would get angry at us.

22 But, as a child, I knew that it
23 was hard for her to be away from her family;
24 and I think that's a basis for my respect, too.

25 Q. And where was her family?

1 A. In Pennsylvania.

2 Q. Did any of your extended family
3 members have any mental illnesses?

4 A. I believe there was, but I'm not sure
5 who or where.

6 Q. Okay. Do you know if anybody had any
7 phobias?

8 A. Yes.

9 Q. Who was that?

10 A. And we're talking extended family?

11 I have some cousins who struggle
12 with leaving the house at times.

13 Q. Okay. Who is that?

14 A. The family -- they're cousins on my
15 dad's side.

16 Q. Okay. What are their names?

17 A. Vally -- I mean, Victoria and Eric.

18 Q. Okay. And do you know if they've been
19 diagnosed with any sort of phobia?

20 A. (Witness shakes head.)

21 Q. Okay.

22 A. I don't.

23 Q. Do you have any family members who
24 have been diagnosed with any learning
25 disabilities?

1 A. I have a cousin who had -- oh, my
2 gosh. Where you reverse the words and the
3 letters.

4 Q. Okay. Do you know if he was diagnosed
5 with dyslexia?

6 A. Yes. And -- and also Tourette's.

7 Q. And what was that cousin's name?

8 A. John.

9 Q. Do you have any other extended family
10 members who have been diagnosed with any types
11 of mental illnesses?

12 A. No.

13 Q. Do you have any other extended family
14 members who you suspect might have mental
15 illness?

16 A. Yes.

17 Q. Who is that?

18 A. Possibly my grandfather and one of my
19 aunts on my mom's side.

20 Q. What do you think your grandfather
21 might have had?

22 A. I think that he struggled with
23 depression and anger.

24 Q. And why do you think that?

25 A. His behavior was indicative of his

1 anger, and he would always say that -- I heard
2 him tell my grandmother a couple times how sad
3 he was.

4 Q. Okay. And that was your mother's
5 father?

6 A. Yes.

7 Q. Okay. And what was the name of the
8 aunt?

9 A. Stella.

10 Q. What did you think -- suspect she had?

11 A. I believe she suffered with
12 depression.

13 Q. Okay. And how was she related to you?

14 A. She's my mom -- my mother's sister.

15 Q. Why do you think she suffered from
16 depression?

17 A. She was very tearful and would not
18 come to some functions because she felt too --
19 she would state she felt too sad that day.

20 Q. Was there anybody else in your family
21 that suffered from depression?

22 A. In my -- immediate or extended?

23 Q. We can start with immediate family.

24 A. My brother -- brothers, we'll make
25 that plural.

1 Q. And just to be clear, is that John and
2 David?

3 A. Yes.

4 Q. Okay. Did you ever have reason to
5 think that your mother might have been
6 depressed?

7 A. That -- no.

8 Q. Do you have any cousins that suffer
9 from depression?

10 A. Yes. I lost two cousins to suicide.

11 Q. And what are their names?

12 A. Cynthia and Jimmy.

13 Q. And what happened to Cynthia?

14 A. She actually had been arrested, and
15 she hung herself in jail.

16 Q. And what was she arrested for?

17 A. Drugs.

18 Q. Do you know what drugs she was using?

19 A. According to -- only what she told me,
20 and it was a variety of many different drugs.

21 Q. Did you talk to her before she
22 committed suicide?

23 A. I did.

24 Q. How old was she?

25 A. 38, maybe. Maybe a little bit older.

1 Q. And how old were you?

2 A. I'm 64.

3 Q. And how old were you when --

4 A. Oh, I was around the same age.

5 Q. Did she reach out to you from jail?

6 A. No. She came to a Thanksgiving
7 dinner.

8 Q. After -- was that after she was
9 arrested?

10 A. Yes.

11 Q. Okay. And when did -- when did she
12 commit suicide?

13 A. I'm not sure of the exact time frame
14 on that.

15 Q. Okay. And did she struggle with
16 drugs?

17 A. Yes.

18 Q. And did she struggle with alcohol?

19 A. Yes.

20 Q. Do you know when she started drugs?

21 A. No.

22 Q. Do you know when she started drinking?

23 A. No.

24 Q. And what happened with Jimmy?

25 A. He actually -- he took his life with a

1 gun.

2 Q. And how old was he?

3 A. I have no idea. I'll be -- maybe in
4 his 40s.

5 Q. And do you recall approximately when
6 that happened?

7 A. No. Sorry.

8 Q. What is Jimmy's last name?

9 A. It was Wigfield, W-i-g-f-i-e-l-d.

10 Q. What was Cynthia's last name?

11 A. Wigfield.

12 Q. Were they siblings?

13 A. Yes.

14 Q. Okay. And how were they related to
15 you?

16 A. They were my Aunt Stella's children.

17 Q. Okay. Did your Aunt Stella have any
18 other children?

19 A. No.

20 Q. Okay. Do you have any other cousins
21 who suffer from depression?

22 A. That -- Victoria and Eric have both
23 said they've struggled with depression.

24 Q. And how are -- how is Victoria related
25 to you?

1 A. She's my father's sister's daughter.

2 Q. And what is your father's sister's
3 name?

4 A. Mary.

5 Q. And what is her last name?

6 A. Votyko. I believe it's V-o-t-y-k-o.

7 Q. And how is Eric related to you?

8 A. He is my first cousin on my father's
9 side.

10 Q. And who is his parent?

11 A. Larry.

12 Q. So, Victoria and Eric are --

13 A. Are siblings.

14 Q. Do you have any other cousins who
15 suffer from depression?

16 A. Yes. I have a cousin who did -- who
17 does.

18 Q. And who is that?

19 A. Her name is Colleen.

20 Q. And how are you related to her?

21 A. Her grandfather and my grandmother had
22 my Aunt Alma on my mother's side.

23 Q. And -- and how many children does Alma
24 have?

25 A. Alma had -- I'd have to count.

1 Four or five.

2 Q. Do you recall the name of Colleen's
3 siblings?

4 A. Oh, Rod, Shane, Laurie.

5 Q. And how do you know -- or why --
6 strike that. Why do you think Colleen suffers
7 from depression?

8 A. She tells me she's on antidepression
9 meds and that she struggles with it.

10 Q. Do you know what she takes?

11 A. I don't.

12 Q. Do you have any other cousins who
13 you -- suffer from depression?

14 A. Not that I know of.

15 Q. Do you have a cousin named Mark?

16 A. Mark? Yes, I do.

17 Q. Okay. And how is he related to you?

18 A. If -- the only Mark I know is my Aunt
19 Mary's son.

20 Q. And is that Victoria and Eric's
21 sibling?

22 A. Uh-huh.

23 Q. Do they have any other siblings?

24 A. Yes.

25 Q. Who are their other siblings?

1 A. Oh, boy. It's a big family. I have
2 to think about this.

3 Leo -- Leo -- I believe there's
4 nine. Valerie, Victoria, Eric, Michael -- I'm
5 leaving some people out.

6 Q. Can you say that name again just a
7 little louder?

8 A. Which?

9 Q. I heard -- looks like you said
10 Valerie, Victoria --

11 A. Do you want the names --

12 Q. Yes.

13 A. I'm trying to remember.

14 Q. Okay.

15 A. So, Valerie, Victoria, Eric, Leo,
16 Michael, Paul, Mark -- may be -- there may only
17 be seven.

18 Q. That's fine.

19 Do you know whether Mark ever
20 suffered from depression?

21 A. I don't.

22 Q. Do you know whether Michael ever
23 suffered from depression?

24 A. I don't.

25 Q. Do you know whether Paul ever suffered

1 from depression?

2 A. I don't.

3 Q. And Leo?

4 A. I don't.

5 Q. And Valerie?

6 A. No.

7 Q. Okay. And are you still in touch with
8 any of those cousins today?

9 A. Yes.

10 Q. Who are you still in touch with?

11 A. That particular family.

12 Q. Okay. And do you know whether Rod
13 ever suffered from depression?

14 A. Don't know.

15 Q. Do you know whether Shane ever
16 suffered from depression?

17 A. I don't know.

18 Q. And Laurie?

19 A. I don't know.

20 Q. And do you know whether anybody -- any
21 of Mary's children struggled with alcohol?

22 A. I don't know.

23 Q. And do you know whether any of them
24 ever used drugs?

25 A. I don't know.

1 Q. And do know whether any of Stella's
2 children ever used alcohol?

3 A. Yes.

4 Q. Who?

5 A. Jimmy and Cynthia.

6 Q. Okay. And do you know whether Jimmy
7 used drugs, as well?

8 A. Yes, he did.

9 Q. Do you know what drugs?

10 A. No.

11 Q. And do you know what led to his
12 suicide?

13 A. I don't.

14 Q. I'm sorry. Do you know what led to
15 his suicide?

16 A. I don't.

17 Q. And can you remind me who is Colleen,
18 Rod, Shane, and Laurie's parents?

19 A. Their parents are Edith and Dean
20 Wyatt.

21 Q. And they are related to you through
22 which of your parents?

23 A. Through my mom.

24 Q. And can you remind me how they're
25 related to you?

1 A. Their grandfather and my grandmother
2 conceived my Aunt Alma.

3 Q. Okay. And is Edith Alma's child?

4 A. No. No.

5 Q. How is Alma related to --

6 A. Alma is my grandmother, Dively, my
7 mom's daughter. Her old -- yes, her daughter.

8 Q. So, Alma is your -- is Alma your
9 mother's sister?

10 A. Uh-huh.

11 Q. Okay. And then how -- how are Edith
12 and Dean related to Alma?

13 A. Through the grandfather. Yes.

14 Q. I want to make sure I understand the
15 line. So, I apologize for circling back.

16 So, can you just step through for
17 me how Dean and Edith are related to Alma?

18 A. Dean would be related to Alma as,
19 like -- because his father and my grandmother
20 had Aunt Alma. So, Dean and Alma are related
21 in that they're siblings.

22 Q. Okay. So, Dean and Alma are brother
23 and sister?

24 A. Yes.

25 Q. Okay. Thank you.

1 Do you have any other cousins
2 beyond people we've already stepped through?

3 A. Yes.

4 Q. Can you tell me who they are?

5 A. Oh, I have -- I'm trying to remember
6 who's actually still alive.

7 I have a cousin Tommy that was my
8 mother's brother's son, and I believe I still
9 have a cousin Denny from my mom's side. And a
10 cousin Robin. And Bobby Jean, I think. And
11 then -- I don't think there's any -- oh, my
12 cousin Chris and my cousin -- his -- Brian.
13 And then I have numerous cousins on my father's
14 side.

15 Q. And thinking about those cousins, do
16 you know whether any of them have ever
17 struggled with depression?

18 A. I don't.

19 Q. Do you know if any of them have ever
20 struggled with alcohol?

21 A. I don't.

22 Q. Have you ever suffered from
23 depression?

24 A. Yes.

25 Q. When?

1 A. In the '90s at one point.

2 Q. Were you diagnosed?

3 A. I was.

4 Q. By who?

5 A. A physician.

6 Q. What were your symptoms?

7 A. Not being able to sleep, not
8 functioning well during the day, and tearful.

9 Q. And did you ever have those symptoms
10 earlier in your life?

11 A. Earlier in my life?

12 Q. Yes.

13 A. Yes.

14 Q. When?

15 A. At times. I don't know dates.

16 Q. Okay. Did you have it when you were a
17 child?

18 A. No.

19 Q. Okay. Did you have it when you were a
20 teenager?

21 A. No.

22 Q. Did you recall feeling that way in
23 your 20s?

24 A. Yes.

25 Q. Do you recall why you felt that way in

1 your 20s?

2 A. Separation from my family and also
3 separation from my son.

4 Q. And have you ever taken drugs for
5 depression?

6 A. One time.

7 Q. And when was that?

8 A. In the '90s.

9 Q. And what did you take?

10 A. I don't recall the name. I -- maybe
11 Paxil.

12 Q. Do you remember whether it helped?

13 A. No, it did not.

14 Q. And how long did you take it?

15 A. Five months.

16 Q. Have you ever suffered from mood
17 swings?

18 A. Yes.

19 Q. When?

20 A. Eight years ago.

21 Q. Did you suffer from mood swings
22 anytime prior to that?

23 A. Define what you mean by the "mood
24 swings" or --

25 Q. Earlier you testified that your mother

1 suffered from mood swings, correct?

2 A. Uh-huh.

3 Q. Did you ever suffer from anything
4 similar to what she suffered from?

5 A. Yes.

6 Q. Can you give me an example of that?

7 A. Being very tearful at times and not
8 wanting to engage.

9 Q. Did you also feel angry?

10 A. Yes.

11 Q. And was this approximately eight years
12 ago?

13 A. No. No.

14 Q. When was that?

15 A. In my 20s.

16 Q. And do you recall why you felt that
17 way?

18 A. Angry at circumstances.

19 Q. Do you recall feeling that way in your
20 teens?

21 A. Yes.

22 Q. Do you recall why you felt that way?

23 A. Just when I wanted to go do something
24 that my parents felt was not the right choice
25 to make.

1 Q. Can you give an example?

2 A. Going -- going, like, to a concert.

3 Q. And how did you react to that
4 situation?

5 A. I just became angry and went in my
6 room and shut the door.

7 Q. And what did your mother do?

8 A. Ground me.

9 Q. Did your father do anything?

10 A. No.

11 Q. Okay. Has anyone, in addition to
12 Jimmy and Cynthia and your extended family,
13 committed suicide?

14 A. Not to my knowledge.

15 Q. During the course of your life, have
16 you been diagnosed with any medical conditions?

17 A. Yes.

18 Q. What conditions?

19 A. Pseudo cerebral tumor.

20 Q. When were you diagnosed with that?

21 A. 1976 or '7, I think.

22 Q. And what were the symptoms leading up
23 to that diagnosis?

24 A. Terrible headaches, vomiting, loss of
25 vision.

1 Q. And did you receive treatment for it?

2 A. Yes.

3 Q. What was that treatment?

4 A. I had to have a spinal -- a couple of
5 spinal taps.

6 Q. And what did that involve?

7 What did the spinal taps involve?

8 A. So far as what I had to do or --

9 Q. Yes.

10 A. I had to go and be admitted to the
11 hospital to have that done.

12 Q. Okay. And what symptoms did you have
13 after the diagnosis?

14 A. For several years I had symptoms of
15 the headaches and issues with my vision.

16 Q. And did it affect how you were
17 feeling?

18 A. Yes.

19 Q. And how so?

20 A. It was -- it was a frustrating time.

21 Q. And what is pseudo cerebral tumor?

22 A. It is when you accumulate too much
23 spinal fluid and you're not able to absorb it
24 correctly.

25 Q. So, what did the spinal tap

1 accomplish?

2 A. It actually lowered the spinal fluid
3 level, and then I was put on anti-inflammatory
4 and other medications.

5 Q. What medications were you put on?

6 A. Prednisone and --

7 Q. I'm sorry --

8 A. And Diamox was the other.

9 Q. How did the Prednisone affect you?

10 A. Prednisone made me feel very bloated
11 and gave me terrible acne.

12 Q. And what was the other drug?

13 A. Diamox.

14 Q. How did that affect you?

15 A. You urinate quite frequently, and you
16 can have a very particular taste in your mouth.

17 Q. And do you know what the Diamox was
18 designed to do?

19 A. It's designed to actually secrete the
20 fluids so that they don't build up again.

21 Q. Is it a diuretic?

22 A. It's a form of a diuretic.

23 Q. And did the Prednisone affect your
24 mood?

25 A. I can't -- I don't -- not that I

1 recall.

2 Q. Okay. Have you been diagnosed with
3 any other medical conditions?

4 A. Recently. Thyroid.

5 Q. And what is that diagnosis?

6 A. That my thyroid may be low.

7 Q. Okay. And have you ever been
8 diagnosed with any eye problems?

9 A. I have permanent vision loss.

10 Q. And what is that from?

11 A. From the -- the initial onset of the
12 pseudotumor.

13 Q. And when were you diagnosed with that?

14 A. Again, somewhere in the -- like '76 or
15 '77 -- no, I'm sorry.

16 The date would have been --
17 again, '76 or '77.

18 Q. Okay. And do you know if that was due
19 to damage to your eye?

20 A. The pseudo or the --

21 Q. The loss of -- the permanent loss of
22 vision.

23 A. Yes, it was due to the damage to my
24 eye.

25 Q. Did you receive any treatment for

1 that?

2 A. It was the same treatment we
3 discussed.

4 Q. And does that still affect you?

5 A. Not for a long time, just permanent
6 optic nerve damage.

7 Q. And how does that affect your vision?

8 A. It gives me limited peripheral vision.

9 Q. Okay.

10 A. And --

11 Q. Go ahead.

12 A. Then, recently, you'd asked what
13 else -- the retinal damage and cataracts.

14 Q. And do you know whether that's related
15 to the pseudo cerebral tumor?

16 A. I have not been -- no, I don't.

17 Q. You said you have a thyroid problem?

18 A. Yes.

19 Q. And when was that diagnosed?

20 A. About a month ago.

21 Q. And how does that affect you?

22 A. I -- right now, it's basically -- I
23 have to urinate quite a bit, and that --
24 there's changes in my hair. It's become very
25 coarse.

1 Q. And have you been on prescription
2 medications in your life other than the Paxil
3 that you've mentioned?

4 A. Yes.

5 Q. And what are those drugs?

6 A. I have been on hydroxyzine to enable
7 me to sleep at night, and --

8 Q. And when was that?

9 A. Like, in the last year.

10 Q. Okay.

11 A. And I also was on several different
12 medications for migraines.

13 Q. When was that?

14 A. In the last ten years.

15 Q. Did you suffer from migraines when you
16 were younger?

17 A. Yes -- no. Just -- no.

18 Q. Okay. And what drugs?

19 A. I don't even remember all the names.

20 Q. And are you currently taking any
21 medication?

22 A. The hydroxyzine.

23 Q. And did you have trouble sleeping when
24 you were younger?

25 A. No.

1 Q. Okay. Do you have any phobias?

2 A. I hate snakes. That's --

3 Q. Have you ever been claustrophobic?

4 A. To an extent, yes.

5 Q. Can you give me an example?

6 A. If a room's really crowded and there's
7 a lot of people in it, I would like to be out
8 of the people.

9 Q. Have you always had that sort of
10 feeling?

11 A. I don't know. I don't recall.

12 Q. Are there any other situations that
13 make you uncomfortable?

14 A. Would this be included?

15 Q. Sure.

16 (Chuckles.)

17 A. Just angry -- very angry people make
18 me uncomfortable.

19 Q (BY MS. NIGHTINGALE DAWSON) Do you have
20 any other phobias?

21 A. No.

22 Q. This is -- sorry, it looks like you --

23 A. I also was prescribed trazodone for
24 sleep, but I have not been taking it. But it
25 was prescribed for me.

1 Q. Why have you not been taking it?

2 A. It -- I -- it was -- it just doesn't
3 seem to be a good fit for me at this time.

4 Q. Okay. And why do you think that?

5 A. Very drowsy. Too drowsy -- it's hard
6 to -- I can't work.

7 Q. Okay. Great. I think this is a good
8 time for us to go ahead and take a short break.

9 So, we can go ahead and take a
10 ten-minute break unless you need more than
11 that.

12 MS. SIMPSON: No, ten minutes is
13 fine.

14 (Break.)

15 Q. (BY MS. NIGHTINGALE DAWSON) I'd like
16 to ask you, do you know a man named Philip
17 Maples?

18 A. Yes.

19 Q. Okay. Could you please briefly
20 describe your relationship with him?

21 A. We were -- we were married.

22 Q. Okay. How did you meet Philip?

23 A. Just met him out riding, what they
24 called riding around.

25 Q. What does "riding around" entail?

1 A. It entails circling this limited
2 space. Pretty much it was a boat harbor, and
3 you just rode around and met guy.

4 Q. Were you riding around in a vehicle?

5 A. Yes.

6 Q. Who were you riding around with?

7 A. A friend from school.

8 Q. And did your friend know Philip?

9 A. No.

10 Q. And did you know Philip?

11 A. No. I had seen him. Another friend
12 knew him.

13 Q. And where were you living at that
14 time?

15 A. In Decatur.

16 Q. And how old were you?

17 A. 16? Yes.

18 Q. And do you know how old --

19 A. 17.

20 Q. Do you know how old Philip was?

21 A. I believe the same age.

22 Q. And when did you first meet?

23 A. Like, I don't do -- are you asking for
24 a date or --

25 Q. Were you 17 when you first met?

1 A. Yes.

2 Q. And do you remember where you were
3 when you first met?

4 A. At the boat harbor.

5 Q. Okay. Can you describe that
6 interaction?

7 A. I think I just remember meeting and
8 just talking and that was it.

9 Q. And do you remember what you thought?

10 A. That -- yeah, that -- I found him
11 attractive.

12 Q. Do you remember how he treated you?

13 A. He was very nice.

14 Q. And what was Philip like when you
15 first met him?

16 A. He was nice. He was -- he -- he just
17 seemed like a nice guy.

18 Q. Okay. And just kind of for the
19 record, how do you spell Philip?

20 A. I believe it's with one L.

21 Q. Thank you.

22 And what happened after you met
23 Philip?

24 A. We talked a couple other times.

25 Q. Was that on the phone?

1 A. No, not at that point.

2 Q. That was in person?

3 A. Uh-huh.

4 Q. And then what --

5 A. Yes.

6 Q. And then what happened?

7 A. We -- we made plans, went on a date.

8 Q. Do you remember that date?

9 A. Yes.

10 Q. Where did you go?

11 A. A drive-in.

12 Q. And what -- how did you feel on that
13 date?

14 A. A little nervous.

15 Q. Why was that?

16 A. Just the fact that we were at -- I
17 hadn't ever gone on a date at a drive-in
18 before.

19 Q. Had you been on a date before?

20 A. Yes.

21 Q. How many times?

22 A. I don't remember.

23 Q. Okay. Were you allowed to date?

24 A. Yes.

25 Q. Did your parents know you were going

1 out on a date?

2 A. Yes.

3 Q. And what happened after that date?

4 A. So far as?

5 Q. Did you and Philip date again?

6 A. Yes.

7 Q. Did you start going out regularly?

8 A. Yes.

9 Q. Okay. During that time, do you
10 remember whether Philip drank alcohol?

11 A. Yes.

12 Q. Do you remember how often he drank
13 alcohol?

14 A. No.

15 Q. During that time, do you remember
16 whether Philip did drugs?

17 A. No, he did not.

18 Q. Okay. Do you remember whether he ever
19 smoked marijuana while you knew him?

20 A. During the whole time I knew him or --

21 Q. Yes.

22 A. I -- yes.

23 Q. Did he smoke marijuana at that time?

24 A. Not that I know of.

25 Q. And did you drink alcohol at that

1 time?

2 A. Yes.

3 Q. Do you remember what you drank?

4 A. Boone's Farm.

5 Q. Okay. And what is that?

6 A. It's some sort of wine.

7 Q. Do you remember how often you drank
8 per week?

9 A. Not every week.

10 Q. Okay. And when you did drink, do you
11 remember how much you might drink?

12 A. Not the exact amount.

13 Q. Do you remember whether -- do you
14 remember what alcohol Philip drank?

15 A. No.

16 Q. When Philip drank alcohol, did you
17 also drink?

18 A. It would depend. Not all the time.

19 Q. Okay. Do you have any children?

20 A. Yes.

21 Q. How many children do you have?

22 A. One.

23 Q. And what is your child's name?

24 A. Cory.

25 Q. How old were you when you became

1 pregnant with Cory?

2 A. 17.

3 Q. Did you intend to become pregnant at
4 that time?

5 A. No.

6 Q. Was Philip the father?

7 A. Yes.

8 Q. And how long had you and Philip --
9 strike that.

10 Were you and Philip together when
11 you became pregnant?

12 A. Yes.

13 Q. And how long had you been together at
14 that point?

15 A. Months.

16 Q. Do you think it was three months?

17 A. I -- I'm -- I'm not sure.

18 Q. Do you think it was less than six
19 months?

20 A. Yes.

21 Q. And what was your relationship like
22 with Philip after those months of dating?

23 A. Can you clarify what you --

24 Q. Before you got pregnant, how serious
25 was your relationship with Philip?

1 A. He was the only person I was dating,
2 the only person I was involved with.

3 Q. Do you know whether he was involved
4 with anybody else?

5 A. I do not know the answer.

6 Q. Was that the most serious relationship
7 you had had about --

8 A. Yes.

9 Q. Was that the longest relationship you
10 had had?

11 A. Yes.

12 Q. Was that -- had you ever been that
13 intimate with a person before?

14 A. No.

15 Q. Do you know whether that was Philip's
16 most serious relationship to date?

17 A. No, I don't.

18 Q. Okay. Were you still in school when
19 you became pregnant with Cory?

20 A. Yes.

21 Q. Did you graduate from high school?

22 A. Yes.

23 Q. When was that?

24 A. In May of '73.

25 Q. When did Philip find out you were

1 pregnant with Cory?

2 A. I think in June.

3 Q. And --

4 A. Wait. It was in June was definitive.

5 Q. Okay. And what month -- what year was
6 that?

7 A. 1973.

8 Q. And how did he find out you were
9 pregnant with Cory?

10 A. I told him.

11 Q. Okay. And how did he react?

12 A. Surprised and overwhelmed.

13 Q. And what did he say to you?

14 A. I just -- we just talked about what
15 would happen and what we would do.

16 Q. And what did he want to do?

17 A. He wanted to provide a life for the --
18 for Cory.

19 Q. What did you want to do?

20 A. I -- I was -- I was wanting to put
21 Cory up for adoption.

22 Q. Why was that?

23 A. I felt like we were too young and
24 there was just too many variables.

25 Q. What did you do after you told him you

1 were pregnant?

2 A. Talked with my parents.

3 Q. Did your parents know before that?

4 A. No, but they -- no.

5 Q. Do you think they suspected you were
6 pregnant?

7 A. Yes.

8 Q. Why is that?

9 A. My -- I don't know the exact reason
10 why.

11 Q. Did your mother do anything around
12 that time to indicate she suspected you were
13 pregnant?

14 A. Oh, yes.

15 Q. What did she do?

16 A. Tell me I was pregnant.

17 Q. Did she say why she thought that?

18 A. Because she knew I had not had a
19 period for two months.

20 Q. And how did she react to that
21 suspicion?

22 A. In a lot of anger and fear and -- I
23 went to the doctor.

24 Q. And how did your father react to that
25 suspicion?

1 A. Angry. And fearful.

2 Q. Did either of your parents yell in
3 response to finding out -- strike that.

4 When did your parents find out
5 you were actually pregnant?

6 A. When -- in June, when I went to the
7 doctor.

8 Q. And how did they -- how did your
9 mother react to that?

10 A. She was upset and was yelling at me.

11 Q. How did your father react?

12 A. He was calm.

13 Q. Okay. And what did your parents want
14 to have happen?

15 A. They wanted me to give the baby up for
16 adoption.

17 Q. Okay. Did they -- did your mother
18 want you to keep the pregnancy?

19 A. Yes.

20 Q. Did your father want you to keep the
21 pregnancy?

22 A. Yes.

23 Q. And why was that?

24 A. They didn't believe in abortion.

25 Q. And did you want to keep the

1 pregnancy?

2 A. Yes.

3 Q. Why was that?

4 A. I don't believe in abortion.

5 Q. If you had to do it over again, would
6 you do something differently?

7 A. Yes.

8 Q. What's that?

9 A. I would have given the baby up for
10 adoption.

11 Q. And why is that?

12 A. We were too young.

13 Q. What was life like during your
14 pregnancy?

15 A. Tumultuous.

16 Q. And why is that?

17 A. From a financial point, we struggled;
18 and from an emotional point, we both struggled
19 with being -- with the marriage.

20 Q. When did you get married?

21 A. July of '73.

22 Q. And why did you marry Philip?

23 A. He -- he was pretty insistent that
24 that's what we would do.

25 Q. Did your mother want to you do that?

1 A. No.

2 Q. And did your father want you to do
3 that?

4 A. No.

5 Q. Did you want to do that?

6 A. No -- mixed emotions.

7 Q. Can you give specific examples of how
8 you felt about that choice?

9 A. I was scared. And I was afraid that
10 things -- that I would not be a good mother,
11 and I was afraid that we would not succeed at
12 this.

13 Q. When you say you were afraid you were
14 not going to be a good mother, why was that?

15 A. I was -- I was just -- I was just a
16 kid. I was still a teenager. I was still not
17 ready to take on responsibility.

18 Q. Did you feel like your mother had been
19 a good example for how to mother?

20 A. No.

21 Q. Why is that?

22 A. Her strictness. Yeah.

23 Q. Did you feel like your mother showed
24 you how to be nurturing?

25 A. No.

1 Q. How were things with your parents
2 during your pregnancy?

3 A. They pretty -- they pretty much --
4 they were there, but they also made it clear
5 that I was not a part of the family's nucleus.
6 That, yes -- that's -- that's how I felt then.

7 Q. And where were you living when you got
8 pregnant?

9 A. With my parents.

10 Q. Did you leave your parents' house at
11 some point?

12 A. Yes.

13 Q. When was that?

14 A. When we got married, we had an
15 apartment.

16 Q. How did you feel during your
17 pregnancy?

18 A. Emotionally or physically?

19 Q. We'll start physically.

20 A. The first couple weeks I was pretty
21 nauseated, but after that I felt okay. I felt
22 fine.

23 Q. Do you recall being tired at all?

24 A. Yeah, I think I was tired, yes.

25 Q. And how did you feel emotionally

1 during the pregnancy?

2 A. A lot of different emotions.

3 Q. Can you give me some examples?

4 A. Still there was a fear because
5 financially we were just having a very
6 difficult time. And just a fear of being a
7 mother and being able to support someone. And
8 just -- I really felt alone. I felt like I had
9 pretty much no one.

10 Q. And how did being pregnant affect your
11 relationship with Philip?

12 A. He was not there a lot.

13 Q. Where was he?

14 A. Other places.

15 Q. And when you say "not there," do you
16 mean at your apartment?

17 A. We -- yes.

18 Q. Do you know where he was?

19 A. At times, at work; and other times,
20 I'm not sure.

21 Q. Did you feel supported by Philip?

22 A. Sometimes.

23 Q. Did you love Philip?

24 A. Yes.

25 Q. Do you think he loved you?

1 A. I think so.

2 Q. Did you visit a doctor while you were
3 pregnant?

4 A. Yes.

5 Q. Who was that?

6 A. Oh, gosh. There was a group of them.
7 Dr. Newman, Dr. McCain, and Dr. Thomas.

8 Q. Do you recall how often you went to
9 the doctor?

10 A. I went for all my checkups. When they
11 were scheduled, I went.

12 Q. And did you have insurance?

13 A. No.

14 Q. Okay. How was the doctor paid for?

15 A. We paid. We made payment.

16 Q. Okay. Did you have any State
17 assistance?

18 A. No.

19 Q. Did you have any complications during
20 your pregnancy?

21 A. I had what they called then toxemia
22 and had to be on bedrest.

23 Q. Do you remember when that started --
24 when bedrest started?

25 A. Bedrest started the day I went to the

1 doctor and my blood pressure was sky-high,
2 probably a week -- not even a week before the
3 delivery, and he put me in the hospital.

4 Q. But that was not the first time you'd
5 gone to the doctor, correct?

6 A. No, but that -- that's when this
7 particular part of the pregnancy had occurred.
8 It was in the last -- in the eighth month,
9 and --

10 Q. And how did that affect you?

11 A. I did not feel good, but it didn't --
12 it didn't really slow me down or --

13 Q. And when did -- when did you decide --
14 did you at some point decide not to put Cory up
15 for adoption?

16 A. That's when we got married.

17 Q. Did your parents tell you how they
18 felt about you getting married?

19 A. Yes.

20 Q. And what did they convey to you?

21 A. That I had made a mistake.

22 Q. How did that make you feel?

23 A. Angry and determined not to be a
24 mistake.

25 Q. Do you recall drinking alcohol while

1 you were pregnant with Cory?

2 A. I did one time that I remember.

3 Q. Okay. Do you know whether you might
4 have had alcohol at other times?

5 A. I may have because we did drink
6 Boone's Farm at times.

7 Q. Did Philip ever comment on the amount
8 of alcohol you drank while pregnant with Cory?

9 A. No.

10 Q. Did he ever comment on it after you
11 had Cory?

12 A. I don't remember.

13 Q. Do you remember whether anyone else
14 ever commented on how much you drank while you
15 were pregnant with Cory?

16 A. No.

17 Q. Do you recall doing any drugs while
18 you were pregnant with Cory?

19 A. I did not.

20 Q. Do you know whether you were on
21 prescription medications while you were
22 pregnant with Cory?

23 A. No --

24 Q. Okay. Let me just clarify. Prior to
25 the delivery?

1 A. No. Prenatal vitamins.

2 Q. To clarify, you took prenatal
3 vitamins?

4 A. I think I did.

5 Q. And just circling back to the decision
6 to marry Philip, did your parents factor into
7 your decision to marry Philip?

8 A. Yes.

9 Q. How so?

10 A. My parents were -- my parents were
11 advocates of putting the baby up for adoption
12 and not telling people I was pregnant and
13 that -- it made me really shameful and hurt.

14 Q. And how did that factor into your
15 decision to marry Philip?

16 A. Well, I felt like I needed to
17 acknowledge the pregnancy and that I had a
18 commitment to the pregnancy. And it -- I had
19 changed my life, and I wanted to go through
20 with that part of it.

21 Q. Did you think it would make your
22 parents angry?

23 A. I knew it would.

24 Q. When you said that your pregnancy was
25 tumultuous, what did you mean by that?

1 A. Just we -- we struggled financially.
2 We argued quite a bit, and I just didn't feel
3 like I had much support during that time.

4 Q. When you say "we argued quite a bit,"
5 do you mean you and Philip?

6 A. Yes.

7 Q. Okay. What did you argue about?

8 A. I don't -- I don't remember.

9 Q. Okay. And can you give me an example
10 of your financial struggles?

11 A. Just paying bills was a struggle.

12 Q. Were you working at that time?

13 A. No, I was not.

14 Q. Okay. Was Philip working?

15 A. Yes.

16 Q. Did Philip go to any of the
17 appointments for Cory with you?

18 A. No.

19 Q. Did you want him to?

20 A. I don't remember.

21 Q. Can you describe Cory's birth?

22 A. It was -- I went into -- I went in the
23 hospital, I believe, on a Thursday and was put
24 into labor on Friday and labored that day and
25 then stayed on bedrest for two more days. And

1 then that Monday I was, again, put into labor
2 and given several different blocks to help with
3 the pain; and then I delivered.

4 Q. When you said "put into labor," what
5 do you mean?

6 A. They -- they actually initiated the
7 labor with Pitocin.

8 Q. And was Philip at the hospital with
9 you when you were admitted?

10 A. Yes.

11 Q. And you were testifying that you were
12 there. It was four days before Cory was born;
13 is that correct?

14 A. I believe that's correct.

15 Q. And was Philip there with you through
16 that time?

17 A. He was there at intervals, yes.

18 Q. Was he there when Cory was born?

19 A. I'm not -- I don't know.

20 Q. And why don't you know?

21 A. I was in -- I was exhausted, and also
22 I pretty much -- as soon as he was born, I fell
23 asleep.

24 Q. Did you have complications during
25 Cory's birth?

1 A. I believe I -- well, a long labor, and
2 I know that I had to have a -- I had to have
3 a -- they had to make room for him to be
4 delivered, and the name of the procedure is
5 gone. I cannot remember.

6 Q. Do you remember whether that involved
7 cutting you?

8 A. Yes, it did. I had a second-degree.

9 Q. Okay. And is that in the vaginal
10 area?

11 A. Yes.

12 Q. Do you know whether you hemorrhaged
13 during delivery? Or do you recall?

14 A. I -- at that particular point, no, I
15 don't recall.

16 Q. Do you remember whether you had any
17 challenges with the placenta?

18 A. I don't -- all I remember is when he
19 was born, I literally fell asleep; or I just
20 was no longer awake.

21 Q. And how long did it take you to
22 recover from Cory's birth?

23 A. Not long at all.

24 Q. Okay. And did you have any
25 complications immediately after Cory's birth?

1 A. I don't know.

2 Q. Do you recall whether you had any
3 vision challenges --

4 A. Not at -- no.

5 Q. Did you have a spinal tap?

6 A. Yes.

7 Q. Do you remember whether that affected
8 you adversely?

9 A. No, it did not.

10 Q. Do you remember being given any drugs
11 at the hospital before Cory was born?

12 A. I don't.

13 Q. Okay. Do you recall being given any
14 drugs at the hospital after Cory was born?

15 A. I don't.

16 Q. Okay.

17 MS. NIGHTINGALE DAWSON: Can we
18 mark this?

19 (Denise Maples Exhibit No. 1 marked:
20 Labor and delivery report, Bates Nos. Maples
21 0000024 - 0000049.)

22 Q. (BY MS. NIGHTINGALE DAWSON) The court
23 reporter is handing you what has been marked as
24 Exhibit 1 which is Bates stamped starting at
25 Maples 24 and ranging through Maples 49.

1 Do you know what this document
2 is?

3 A. This?

4 Q. Yes.

5 A. The L&D report, the delivery report.

6 Q. What does "L&D" stand for?

7 A. Labor and delivery.

8 Q. And have you seen this before?

9 A. Yes.

10 Q. And when?

11 A. A few years ago.

12 Q. And why was that?

13 A. I just requested my medical records.

14 Q. Okay. I was wondering if you can turn
15 to the -- what is the third page, and just --
16 it's double-sided. So, the page marked Maples
17 26. I think it's the page before where you are
18 now.

19 If you look at the bottom right
20 corner, you'll see that there are numbers.

21 A. Okay. I got it.

22 Q. And does this page reflect any drugs
23 that you were given?

24 A. Yes.

25 Q. And what is that?

1 A. It looks like there was -- I have no
2 idea what this word is, but it looks like I was
3 administered something to help with the pain.

4 Q. And what makes you think that?

5 A. The word "saddle" because that was a
6 form of -- of numbing, and I do remember that.

7 Q. Okay. And is there any other
8 references to medical conditions that you had?

9 A. Preeclampsia.

10 I have no idea what one line
11 says -- episiotomy, yeah.

12 Q. And is that what you were describing
13 before when you said --

14 A. Yes, thank you.

15 Q. Turning to the next page, which is
16 marked Maples 27, and starting at the
17 beginning, do you see a reference to a
18 diagnosis that you received?

19 A. Toxemia.

20 Q. Okay. And do you see a description of
21 what was then done?

22 A. Yes. Oh -- yes.

23 Q. And what --

24 A. Will -- I have no idea what this word
25 is, but something and today -- probably not

1 delivered today.

2 Q. And then do you see an indication of
3 what -- of any drugs you were driven?

4 A. Pitocin.

5 Q. Do you know what that drug was for?

6 A. It was to facilitate labor.

7 Q. And do you remember how you felt after
8 you were given that?

9 A. Cramping -- labor pains.

10 Q. And was that -- do you see the date
11 that that was given?

12 A. 1/19/74.

13 Q. And what date was Cory born?

14 A. The 21st.

15 Q. Turning to Page 29, Maples 29. Can
16 you read what the fourth handwritten line says?

17 A. "Limit visitors." I -- no. No -- no
18 something family.

19 Q. Do you recall visitors at the
20 hospital?

21 A. No.

22 Q. But you recall Philip being there?

23 A. Yes. There -- yes.

24 Q. Okay. Do you see an indication of
25 drugs that you were given on this page?

1 A. Phenobarbital.

2 Q. Do you know what that is?

3 A. It's normally given to help prevent
4 seizures.

5 Q. Do you know why you were given that?

6 A. Probably because of the toxemia. It
7 can actually cause seizures during delivery.

8 Q. Okay. And do you remember being told
9 how that might affect you?

10 A. No.

11 Q. Do you remember being told any side
12 effects that might occur to Cory --

13 A. No.

14 Q. Do you see any other --

15 A. There is another drug, but I have no
16 idea. Dal- -- Dalmane.

17 Q. Do you know what that is?

18 A. No.

19 Q. Do you recall being given that?

20 A. No.

21 Q. Do you see an indication about Valium?

22 A. Yes, Valium, 10 milligrams.

23 Q. Do you know why you were given that?

24 A. Probably to help me relax so that I
25 would maintain the bedrest.

1 Q. Do you remember anyone discussing that
2 with you?

3 A. No.

4 Q. Do you remember anyone telling you the
5 effect that it might have on Cory?

6 A. No.

7 Q. And do you see what date that that was
8 given?

9 A. The 8th -- 18th.

10 Q. And had you ever taken Valium before?

11 A. No.

12 Q. Do you remember how it affected you?

13 A. Sleepy.

14 Q. Moving ahead to the page marked
15 Maples 31.

16 A. Okay.

17 Q. On the bottom half of that page, do
18 you see references to any drugs that were
19 given?

20 A. Demerol 50, looks like lorazepam 2,
21 scopolamine.

22 Q. Do you know why you were given those
23 drugs?

24 A. To keep me calm.

25 Q. Do you remember anybody discussing

1 with you what effect --

2 A. No, there was -- no.

3 Q. Do you see any other drugs there?

4 A. And Valium.

5 Q. Do you recall not being calm at the
6 hospital?

7 A. I recall being very tired and very
8 anxious, yes.

9 Q. Okay. Had you had anxiety at other
10 points in your life?

11 A. Well, yes.

12 Q. When was that?

13 A. I just -- just general anxiety that --
14 anxious for a test.

15 Q. Did your anxiety ever manifest into
16 physical symptoms?

17 A. And that would --

18 Q. For example, did you ever throw up
19 because you were anxious?

20 A. Are we talking prior -- give me --
21 what's your --

22 Q. Before you had Cory.

23 A. No, I'd never --

24 Q. Do you recall ever throwing up because
25 of anxiety after you had Cory?

1 A. Yes.

2 Q. When was that?

3 A. I don't have a date.

4 Q. Okay. Was it while Cory was young?

5 A. Yes.

6 Q. Turning to Maples 32, do you see an
7 indication at the bottom of that page about
8 drugs you were given?

9 A. Yes.

10 Q. And what is that?

11 A. Carbocaine, Car- -- and I'm not sure
12 what that drug was for, probably for delivery.
13 And then Xylocaine when they sutured me.

14 Q. Do you see -- do you know what the
15 last one listed on the pages?

16 A. It appears that it is an -- illegible
17 to me. I cannot read it.

18 Q. Do you know what dobutamine is?

19 A. No.

20 Q. Okay. And on Maples 36, towards the
21 bottom of the page, there's a reference -- do
22 you see a reference to formula?

23 A. It's more toward the bottom, you're
24 saying?

25 Q. Yes. Do you see the reference to

1 formula on this page, towards the bottom?

2 A. I'm looking -- postpartum course -- I
3 don't see where you're looking for that.

4 Q. Do you see, if you're going down the
5 left, where it says "Delivery"?

6 A. Uh-huh, okay.

7 Q. Do you see "placenta"?

8 A. Yes.

9 Q. Do you see "baby"?

10 A. Uh-huh.

11 Q. What is to the right of "baby"?

12 A. "Feeding." There you go, "formula."

13 Q. Was that how Cory was fed?

14 A. Yes.

15 Q. And if you go above there, do you see
16 a reference to toxic after "First-stage
17 complications"?

18 A. Yes.

19 Q. Okay. Do you know what that's a
20 reference to?

21 A. That was the toxemia.

22 Q. And is that the same thing as the
23 preeclampsia that you were --

24 A. Yes, it comes -- both names.

25 Q. And do you recall anybody ever talking

1 to you about how that might affect Cory?

2 A. No.

3 Q. Do you recall -- we can put this down
4 now.

5 A. Okay.

6 Q. Do you recall when you first saw Cory
7 at the hospital?

8 A. Yes.

9 Q. And when was that?

10 A. I awakened in my room, got up, and
11 walked over to the nursery.

12 Q. Was the room you woke up in the room
13 where you had Cory?

14 A. No, it was in my hospital room. I
15 woke up in a hospital room.

16 Q. You said earlier you fell asleep right
17 after Cory was born, correct?

18 A. Right, but that was back in the labor.

19 Q. So, did they move you from the labor
20 room to your room?

21 A. Yes.

22 Q. And were you asleep when that
23 happened?

24 A. I don't remember it, so, yes.

25 Q. Was there anybody in your room when

1 you woke up?

2 A. No.

3 Q. And what happened when you got to the
4 nursery?

5 A. Several nurses came and got me and
6 took me back to my bed.

7 Q. Why was that?

8 A. Apparently I was very pale and
9 diaphoretic, and I had had a spinal. So, I was
10 supposed to be flat.

11 Q. What does "diaphoretic" mean?

12 A. I was sweaty.

13 Q. Okay. Did you see Cory when you got
14 to the nursery?

15 A. Yes, I did.

16 Q. Do you remember how you felt?

17 A. Happy that he was there and that he
18 was okay.

19 Q. How long did you see him before the
20 nurses took you away?

21 A. About two seconds.

22 Q. Okay. And how did you know which one
23 was Cory?

24 A. It had a name on the crib, and then a
25 nurse asked me who I was looking for.

1 Q. Had you already chosen the name?

2 A. Uh-huh. Well, it had Maples -- no, we
3 had not chosen the name.

4 Q. And how long were you in the hospital
5 after Cory was born?

6 A. I don't remember.

7 Q. Was Cory -- where did Cory stay when
8 you were in the hospital?

9 A. In the nursery.

10 Q. Okay. Was he ever in your room with
11 you?

12 A. I don't remember.

13 Q. Was Philip at the hospital after Cory
14 was born?

15 A. When I left.

16 Q. Do you remember when Philip first met
17 Cory?

18 A. No.

19 Q. Do you remember whether Philip was at
20 the hospital before you left?

21 A. No.

22 Q. Did any of your family members come to
23 visit you in the hospital?

24 A. I don't remember.

25 Q. Do you remember how much time you

1 spent with Cory at the hospital?

2 A. Truthfully, I remember looking at him
3 in the nursery, at some point holding him and
4 feeding him, but -- and then going home.

5 Q. Were you feeding him with a bottle?

6 A. Yes.

7 Q. Do you know how many times you fed him
8 at the hospital?

9 A. The only one I remember is once.

10 Q. Do you remember changing his diaper at
11 all?

12 A. No.

13 Q. Do you have a guess at how long you
14 were in the hospital before you were
15 discharged?

16 A. Maybe a day.

17 Q. Okay. Can we go back to the last page
18 of this exhibit, Maples 49?

19 Do you see a date at the top of
20 this document?

21 A. Do I see a date here?

22 Q. Do you see a date on this page?

23 A. Yes.

24 Q. And what's that date?

25 A. Are you -- do you -- I actually don't

1 see a date on this page. Sorry.

2 Q. If you look at the top right side of
3 the page, do you see a date there?

4 A. Oh, 1/24/74 -- wow. 1/24/74.

5 Q. And how many days after Cory was born
6 was that?

7 A. Three.

8 Q. Okay. And do you see in the middle of
9 the page a description of what occurred that
10 day?

11 A. Are you talking about the "Awake, no
12 complaints"?

13 Q. Can you keep reading? What else does
14 it say? To the extent you can read it.

15 A. I have no idea what that second line
16 says.

17 Q. Do you see an 11:00 o'clock time
18 notation?

19 A. Yes, "Discharge," I see that.

20 Q. Okay. And does it indicate who was
21 discharged that day?

22 A. Myself. I don't see any reference to
23 the baby.

24 Q. Okay. So, do you think it's possible
25 you were in the hospital for three days after

1 Cory was born?

2 A. Possibly.

3 Q. Did Cory leave the hospital with you?

4 A. Yes.

5 Q. Did you feel like you bonded with Cory
6 while you were at the hospital?

7 A. No.

8 Q. And why not?

9 A. There -- I just don't remember a lot
10 of time with him.

11 Q. Did you want to spend more time with
12 him?

13 A. I -- I don't -- I don't know.

14 Q. Okay. Do you know whether Philip
15 spent any time with him at the hospital?

16 A. I don't know.

17 Q. Okay. Where did you go when you were
18 discharged from the hospital?

19 A. My mother's house.

20 Q. And why did you go there?

21 A. To have help.

22 Q. Okay. Was Philip at your mother's
23 house?

24 A. Yes.

25 Q. Okay. Was your mother okay with him

1 being there?

2 A. No.

3 Q. How did she react to that?

4 A. They had a fight, and she told him he
5 had to leave.

6 Q. And was that the date you arrived?

7 A. Don't remember the timeline.

8 Q. Do you remember what they fought
9 about?

10 A. She did not want him to stay.

11 Q. And why was that?

12 A. I don't know.

13 Q. Did you want him to stay?

14 A. Yes.

15 Q. Did you tell your mother that?

16 A. Yes.

17 Q. And how did she react?

18 A. That he wasn't going to stay.

19 Q. When did he leave?

20 A. I don't remember the time.

21 Q. And how long were you at your mother's
22 house after Cory was born?

23 A. I don't remember how long.

24 Q. Okay. Who took care of Cory while you
25 were there?

1 A. I did, and my mom helped.

2 Q. How did your mom help?

3 A. She would tell me to go take a nap,
4 and she would feed the baby.

5 Q. Okay. What do you recall the early
6 days with Cory being like?

7 A. I felt alone a lot.

8 Q. Do you remember what Cory was like?

9 A. And you're referring to when --

10 Q. When he was a newborn, say -- we can
11 start with the period while you were staying
12 with your mother.

13 A. He did not sleep at all the first
14 night.

15 Q. Okay. Do you remember how that made
16 you feel?

17 A. Very -- like I'd done something wrong.

18 Q. Did you ever think about putting him
19 up for adoption in those early days?

20 A. I don't remember that particular
21 thought.

22 Q. Do you remember how your mother
23 reacted in those early days?

24 A. She would help me, but I had to do the
25 initiation of the help.

1 Q. Do you remember how your father
2 reacted during those early days?

3 A. Distant.

4 Q. And how did that make you feel?

5 A. Alone.

6 Q. Do you recall whether Cory was two
7 months old when you left your parents?

8 A. I don't know.

9 Q. Did you -- did you eventually leave
10 your parents?

11 A. Yes.

12 Q. Okay. Was Cory still a newborn when
13 you left your parents?

14 A. I think so.

15 Q. And where did you go?

16 A. I -- wherever we were living at the
17 time.

18 Q. And when you say "we," do you mean
19 Philip --

20 A. Yes.

21 Q. Okay. Was parenting Cory hard for
22 you?

23 A. Yes.

24 Q. And why was that?

25 A. I just really didn't know what I was

1 doing.

2 Q. Did you have any other family members
3 who helped you with Cory?

4 A. My brother John.

5 Q. Was he living in Decatur at that time?

6 A. Yes.

7 Q. He was living with your parents?

8 A. Uh-huh, yes.

9 Q. How did your sister Gwen react?

10 A. Never interacted.

11 Q. Were you close with her?

12 A. No.

13 Q. Did your siblings ever express their
14 views on you having a child?

15 A. Yes.

16 Q. Did Gwen ever express her views?

17 A. To not embarrass her.

18 Q. Was that after Cory was born?

19 A. Uh-huh, yes.

20 Q. How did that make you feel?

21 A. Alone.

22 Q. Did David express -- ever express his
23 views?

24 A. He was fine.

25 Q. And John?

1 A. John just tried to help.

2 Q. Is Cory your only child?

3 A. Yes.

4 Q. Why did you decide not to have any
5 more children?

6 A. I didn't want any more children, and I
7 was never in a relationship that I felt would
8 be a good relationship for a child.

9 Q. Before you had Cory, did you want to
10 have children?

11 A. No.

12 MS. NIGHTINGALE DAWSON: I think
13 this is a good time for us to take a break. I
14 think lunch is being delivered any minute.

15 (Lunch break.)

16 Q. (BY MS. NIGHTINGALE DAWSON) I just
17 wanted to circle back. You said that you
18 thought you stayed with your parents for Cory's
19 first few months of life; is that correct?

20 A. That -- I'm not sure of the timeline,
21 but I don't think it was months.

22 Q. Do you think it was perhaps a few
23 weeks?

24 A. I don't think so. I think it was just
25 a couple of days.

1 Q. And where did you go after that?

2 A. Wherever we lived, and I don't
3 remember -- I don't remember going back to the
4 apartment in Decatur. I think we lived out at
5 Mud Tavern at that point.

6 Q. Did you rent a house?

7 A. Yes.

8 Q. Did you ever live in a trailer?

9 A. Yes.

10 Q. When did you live in a trailer?

11 A. Towards the end of our marriage.

12 Q. Was Cory with you when you left your
13 parents?

14 A. Uh-huh, yes.

15 Q. And he lived on Mud Tavern Road with
16 you?

17 A. Yes.

18 Q. And did anyone else live in the house
19 with you, Philip, and Cory?

20 A. No.

21 Q. Okay. How would you describe your
22 behavior towards Cory during your marriage to
23 Philip?

24 A. I think that I was never confident as
25 a mother.

1 Q. And why do you think that?

2 A. I just was never given a lot of
3 maternal help from my mother. I had no one
4 else I could turn to. So, I just didn't know
5 how to.

6 Q. Do you recall what Philip was like as
7 a father at that time?

8 A. He was always a good father.

9 Q. And how was your marriage with Philip
10 after Cory was born?

11 A. It's -- we argued all the time.

12 Q. Okay. Did you yell at each other
13 while you were arguing?

14 A. Yes.

15 Q. Okay. How would you describe your
16 behavior towards Philip during your marriage?

17 A. That part of the marriage, I felt
18 alone and pretty much neglected; and I was
19 hurt.

20 Q. Did you find it hard to parent when
21 you were feeling that way?

22 A. Yes.

23 Q. Okay. And who did you feel neglected
24 by?

25 A. Well, by Philip. He worked a lot.

1 Q. And how were things financially with
2 you and Philip during that time?

3 A. We always struggled.

4 Q. And did that affect how you were
5 feeling?

6 A. Well, yes.

7 Q. How so?

8 A. If you don't have money to do things
9 or buy clothes or, you know, give yourself and
10 your children what you need, you feel very
11 stressed.

12 Q. Were there needs that you had that you
13 couldn't meet?

14 A. By "needs," what do you mean?

15 Q. You said that when you don't have
16 enough money to give yourself what you need,
17 correct?

18 A. Well, I mean, we had groceries and we
19 had gas and we had things for Cory. If I
20 needed anything really major, then we
21 usually -- I usually went to my mom and dad.

22 Q. And how --

23 A. Just -- clothing, for example.

24 Q. And how did your mom and dad respond?

25 A. They -- they helped.

1 Q. And you said that you and Philip
2 argued all the time while you were married,
3 correct?

4 A. I would say the majority of our
5 marriage was full of arguments, yes.

6 Q. Okay. So, how often would you say you
7 would fight in a given week?

8 A. Oh, gosh. I don't know.

9 Q. Okay. How would you describe yourself
10 at that -- during that time period?

11 A. Stressed.

12 Q. And why do you -- sorry.

13 A. Isolated. Those are the two words.

14 Q. Why -- what was stressing you out?

15 A. Financially and the isolation of being
16 out in the country, away from where I -- where
17 I usually lived.

18 Q. Do you feel like you were ever
19 volatile?

20 A. Yes.

21 Q. Why is that?

22 A. Same reasons.

23 Q. Can you give me an example?

24 A. I would just -- I would become angry.

25 Q. And who you become angry at?

1 A. Philip.

2 Q. Do you remember any specific
3 situations?

4 A. No -- well, when he had an injury and
5 he had a lot of female attention.

6 Q. And what did that female attention
7 consist of?

8 A. Just a lot of attention to him
9 personally and offering to change his bandages
10 for him and --

11 Q. And what was the injury?

12 A. He had a burn on his abdomen.

13 Q. And how did he get that burn?

14 A. Well, he was trying to teach me how to
15 cook, and he -- I set the grease on fire, and I
16 grabbed it -- the skillet with my bare hands,
17 and dropped it. And when it was falling, it
18 had grease in it; and it hit him.

19 Q. And how did he react to that?

20 A. Painful.

21 Q. Do you remember if he said anything to
22 you about it?

23 A. Not that I remember.

24 Q. Okay. And who was the woman or women
25 coming?

1 A. I have no idea. People that --

2 Q. Were they coming into your home?

3 A. Yes, they were -- he would have
4 parties.

5 Q. And how did that make you feel?

6 A. Pretty violated.

7 Q. And where was Cory during that time?

8 A. If it was a planned party, he might be
9 at a baby-sitters, or if it was just people
10 just dropping by, he was there.

11 Q. And who babysat him?

12 A. There was different people. My mom,
13 his mom, a couple of his -- one of his sisters.
14 And then a girl down the road.

15 Q. Did you ever feel like you were
16 irrational during that period?

17 A. Yes.

18 Q. And why was that?

19 A. I was just -- did not understand what
20 was going on, and I felt very isolated. I felt
21 like I had no one I could turn to, and I knew
22 that at that point in time that the marriage
23 was deteriorating and he was sleeping with
24 other people.

25 Q. And how did that affect your

1 relationship with Philip?

2 A. With -- again, we argued.

3 Q. Did you ever confront him about his
4 infidelity?

5 A. He denied it.

6 Q. And how did you know?

7 A. One incident I actually walked in on.

8 Q. Was that at your home?

9 A. Yes.

10 Q. And do you know who that person was?

11 A. I don't know her name, no.

12 Q. And how did you react at that moment?

13 A. Left him. Went to my mom's house.

14 Q. Did you say anything to Philip first?

15 A. I think I did.

16 Q. Do you recall what you said?

17 A. No.

18 Q. Do you recall what he said?

19 A. He denied it.

20 Q. And there was another woman there at
21 the time?

22 A. She had left, but he denied it.

23 Q. And where was Cory?

24 A. He was with me.

25 Q. And when you left to go to your

1 mother's --

2 A. He went with me.

3 Q. Do you remember how old he was?

4 A. No, I don't.

5 Q. Was Cory present during your fights
6 with Philip?

7 A. Sometimes, yes.

8 Q. Do you recall how he reacted to you
9 and Philip fighting?

10 A. He would cry.

11 Q. And what happened when he started
12 crying?

13 A. Usually we stopped fighting and --
14 concentrated on him.

15 Q. Were there some times that you didn't
16 stop fighting?

17 A. No. Eventually we always stopped
18 fighting.

19 Q. Did you ever leave him crying for a
20 little while?

21 A. I can't -- I don't remember.

22 Q. Do you think your fighting affected --
23 with Philip affected Cory?

24 A. Yes.

25 Q. And why do you think that?

1 A. He was -- he would get really upset if
2 our voices raised.

3 Q. And were your voices raised
4 frequently?

5 A. Yes.

6 Q. How do you think it affected him?

7 A. He would cry and get upset.

8 Q. Was he ever old enough to talk to you
9 about it?

10 A. No.

11 Q. Okay. Do you remember whether anyone
12 ever told Philip about -- sorry. Do you know
13 if anyone ever told Cory about your fights with
14 Philip?

15 A. I don't know.

16 Q. Do you remember whether your fights
17 with Philip ever became physical?

18 A. Yes.

19 Q. When was that?

20 A. I don't remember the --

21 Q. Can you give me a specific example?

22 A. He shoved me one time.

23 Q. Did you get hurt?

24 A. I don't remember.

25 Q. Were there any other times that your

1 fights became physical?

2 A. There was some shoving involved in
3 some fights, and I threw a hairbrush at him the
4 day of the girl.

5 Q. Do you know whether that hit him?

6 A. I think it did.

7 Q. Do you know whether he was injured?

8 A. I don't remember.

9 Q. Do you remember when Philip's
10 infidelity began?

11 A. Well, at some point during the
12 marriage.

13 Q. Do you think he was faithful to you
14 during the early parts of your relationship?

15 A. I -- I guess so. I don't really know.

16 Q. And how did that make you feel?

17 A. Well, you -- rejected, and, again,
18 violated, you know.

19 Q. Do you think it affected how you were
20 parenting Cory?

21 A. It -- yes.

22 Q. How so?

23 A. I just think I wasn't as emotionally
24 available.

25 Q. Do you recall ever cutting Philip with

1 a knife?

2 A. Again, yes, a cooking incident.

3 Q. And what happened?

4 A. I was using my -- the knife to cut the
5 fish, and he said something to me. And I
6 turned around with the knife still in my hand
7 and responded with my -- with a hand gesture,
8 not realizing that I had actually sliced his
9 arm with a knife.

10 Q. Do you remember what he said to you?

11 A. He didn't realize it either until
12 the -- the wound actually opened and the air
13 hit it; and then he was like, oh, my gosh. He
14 wasn't mad at the time; but when his best
15 friend walked in the room and started yelling
16 that I cut him with a knife, then he got mad.

17 Q. Who was his best friend?

18 A. Lamar.

19 Q. Do you know Lamar's last name?

20 A. No.

21 Q. Do you recall what he said to you
22 before you cut him with a knife?

23 A. No.

24 Q. And how did you react to that?

25 A. To?

1 Q. To cutting him.

2 A. Well, at first he was as shocked as I
3 was that it happened, and then he was -- he
4 just was a little angry. And then he was -- he
5 got pretty sick. He didn't want to go to the
6 emergency room.

7 Q. And what did he get sick from?

8 A. I don't know.

9 I just -- I know that he was
10 angry. He didn't want to go get treatment, and
11 then he wanted to -- I ended up -- we went to
12 the hospital to get him treated.

13 Q. And what hospital was that?

14 A. I'm assuming Decatur General.

15 Q. How old was Cory?

16 A. I don't know.

17 Q. And where was Cory when this happened?

18 A. With us.

19 Q. Was he in the room when you cut
20 Philip?

21 A. I don't think so.

22 Q. Was he in the house?

23 A. I think so. I -- I really don't
24 remember all the details.

25 Q. And do you recall where he was when

1 you hit Philip with the hot grease?

2 A. He was there in the house.

3 Q. Cory was?

4 A. Uh-huh.

5 Q. Was he in the room?

6 A. No.

7 Q. Do you remember how Philip reacted to
8 that?

9 A. He was -- he was angry, and then he
10 calmed down. He would tell me I was just --
11 didn't need to be near a stove and didn't need
12 to cook, and that was it.

13 Q. Do you recall any other times hitting
14 Philip with a hairbrush?

15 A. There was another incident, but it was
16 later.

17 Q. When was that?

18 A. I don't remember when. I just know I
19 threw it at him for pretty much the same
20 circumstance.

21 Q. Did you find him with another woman?

22 A. Did -- well yeah, but not at that
23 particular incident. This was after the
24 incident.

25 Q. Where were you?

1 A. At my house.

2 Q. Was this when you were not living
3 together anymore?

4 A. Correct.

5 Q. And what -- what did he do?

6 A. I don't remember.

7 Q. Do you remember whether Philip was
8 injured?

9 A. I -- I don't remember.

10 Q. What do you remember?

11 A. The brush, throwing it.

12 Q. And throwing it at Philip?

13 A. Just throwing it in general.

14 Q. Do you recall throwing it in his
15 direction?

16 A. Yes.

17 Q. Do you know where Cory was at that
18 time?

19 A. No.

20 Q. Was he at your house? Do you know?

21 A. I don't know.

22 Q. Do you recall Philip ever hitting you?

23 A. Yes.

24 Q. When was that?

25 A. I don't remember.

1 Q. Do you recall where he hit you?

2 A. Arm. In the arm.

3 Q. Do you recall what happened before
4 that?

5 A. No.

6 Q. Do you recall there being an incident
7 where Philip's bed was shot with a gun?

8 A. Yes.

9 Q. Can you tell us what happened?

10 A. We went to -- we were separated and
11 went to pick up some clothing and my brother
12 was with me and Cory was with us. And as I was
13 packing up the clothing, my brother asked me
14 about the shotgun in the corner, and I said it
15 was never used and never loaded. And
16 apparently he picked it up behind my back and
17 made some poor choices of what he was going to
18 do, and then he pointed it to the bed and shot
19 it.

20 Q. And whose bed was that?

21 A. That was our bed, but at that point it
22 was just his bed because I moved out.

23 Q. Just to be clear, when you say "ours,"
24 you mean yours and Philip's?

25 A. Yes.

1 Q. When you say "his," you mean it was
2 Philip's bed?

3 A. Yes.

4 Q. And where was Cory?

5 A. He was in the room, at the window.

6 Q. And approximately how far away was he
7 from where the bed was?

8 A. Well, probably less than a foot.

9 Q. And how did he react?

10 A. Boom is what he said. Big boom.

11 THE REPORTER: Can we go off the
12 record a second? Do you mind?

13 MS. NIGHTINGALE DAWSON: Sure.

14 Q. (BY MS. NIGHTINGALE DAWSON) And what
15 happened after that?

16 A. We -- well, we were -- my brother and
17 I were both shocked, and I finished what I was
18 doing, and we made the bed because it was not
19 made at the time. And then when we left, I
20 told my brother I would call Philip and let him
21 know what happened.

22 Q. And did you do that?

23 A. Well, by the time we got home,
24 apparently he -- I was not able to. He'd
25 already been back to his house and knew what

1 happened.

2 Q. And what happened during your
3 conversation?

4 A. With Philip?

5 Q. Yes.

6 A. He was very angry.

7 Q. And did you -- I believe you said you
8 and Philip eventually divorced, correct?

9 A. Yes.

10 Q. How would you -- did you separate
11 before divorcing?

12 A. Yes.

13 Q. And how old was Cory when you
14 separated?

15 A. Two or three.

16 Q. And how old was Cory when you got
17 divorced?

18 A. I don't remember how long was the
19 separation and the actual divorce.

20 Q. And how would you describe yourself
21 during the time period leading up to the
22 separation?

23 A. I -- the time period leading up to the
24 separation?

25 Q. Yes.

1 A. Very frustrated and not very happy.

2 Q. What were you frustrated with?

3 A. Just the lies and the marriage and the
4 situations and -- just not being able to get
5 the truth.

6 Q. And is that the same way that you felt
7 in the period leading up to the divorce?

8 A. Yes.

9 Q. And how would you describe Philip
10 during this same time period?

11 A. He was distant at times and adamant
12 about things that I knew were true. He would
13 deny them all; and then at other times, he was
14 wanting to be close again. So --

15 Q. And in your marriage to Philip, who
16 wanted the divorce?

17 A. I think initially I was the first one
18 to bring the subject up.

19 Q. And how did you make the decision to
20 get divorced?

21 A. I went and talked to my parents and
22 made the decision from that.

23 Q. And what did your parents say?

24 A. Either deal with your life or do
25 something about it.

1 Q. Were they supportive of you getting a
2 divorce?

3 A. Yes.

4 Q. Did you and Philip ever try to
5 reconcile your relationship?

6 A. Yes.

7 Q. How?

8 A. We would just try and work things out.

9 Q. And what happened?

10 A. They would work for a day or two.
11 Then they'd fall apart.

12 Q. And were you moving back in with him
13 when you tried to reconcile?

14 A. Actually, he would come and stay with
15 me.

16 Q. And was Cory staying with you at that
17 time?

18 A. Yes -- well, he was back and forth.
19 He would stay with Philip some and then with
20 me.

21 Q. And once you actually divorced, how
22 did your mother react?

23 A. She was fine with it.

24 I need to circle back to
25 something.

1 Q. Okay.

2 A. I was actually -- Philip hit me twice,
3 once in the arm; and then he slapped me one
4 time.

5 Q. When did he slap you?

6 A. At some point during the divorce.

7 Q. Do you remember why?

8 A. I don't remember why. We were
9 arguing, and he slapped me and --

10 Q. Do you recall what you were arguing
11 about?

12 A. No.

13 Q. Do you recall where Cory was at that
14 point?

15 A. Well, I was at work. So, Cory was at
16 the babysitter's.

17 Q. And where were you working?

18 A. At the hospital.

19 Q. Did anybody see that?

20 A. Yes, another physician I worked with.

21 Q. Who was that?

22 A. His name was Dr. Simms.

23 Q. And what happened after he slapped
24 you?

25 A. He told Philip to leave; and he told

1 me he should never, ever touch me again.

2 Q. How did that make you feel?

3 A. I was appreciative that someone was
4 there and saw what happened and supported me.

5 Q. How did -- was that before or after
6 you got divorced?

7 A. In the middle of things deteriorating.

8 Q. And how did your father react to your
9 divorce?

10 A. Neither one of my parents really
11 believed in divorce, but they -- my father
12 wanted to be supportive.

13 Q. And if you had to list the factors
14 that you think led to your divorce, what would
15 you say those factors were?

16 A. Can we say stupidity for being married
17 so young?

18 No, just -- I think it was the
19 immaturity and the unfaithfulness are the two
20 that come to my mind.

21 Q. And were you having any personal
22 struggles at that point?

23 A. Personal struggles being?

24 Q. Either physical or emotional?

25 A. Not at that point, no.

1 Q. Had you been diagnosed with the
2 pseudotumor?

3 A. No.

4 Q. Did Cory's behavior change after you
5 divorced?

6 A. Yes.

7 Q. How so?

8 A. He was more irritable, wouldn't settle
9 down. A couple times when either one of us
10 would come pick him up, he would hang on to one
11 parent and cry for the other parent, and then
12 hang on to the other parent and do the same.
13 And he would scratch himself.

14 Q. And what did you do when he acted that
15 way?

16 A. You just tried to comfort him.
17 Sometimes I would cry because I didn't know how
18 to comfort him, didn't know what to do.

19 Q. Did you ever seek the advice of a
20 doctor or therapist?

21 A. No.

22 Q. While you and Philip were still
23 married, who took care of Cory during the day?

24 A. I did.

25 Q. Were you ever working?

1 A. Yes.

2 Q. And who took care of Cory when you
3 were working?

4 A. We had a couple different -- we tried
5 a couple different daycares, and I believe
6 the -- a friend of his family took care of him
7 some. And then there was someone else that
8 helped out, but I don't remember who that was.

9 Q. Do you remember who the friend of the
10 family was?

11 A. It was one of the Hembrees.

12 Q. And while you were married, who took
13 care of Cory in the evenings?

14 A. That varied. Sometimes it was Philip,
15 sometimes it was both of us.

16 Q. And do you remember if you woke up
17 overnight during your marriage, who would go in
18 to take care of him?

19 A. I believe most of the time it would be
20 me. But --

21 Q. And did your mother ever take care of
22 Cory before you were divorced?

23 A. She did a few times.

24 Q. And when Cory was around your mother,
25 did your mother have rules that he needed to

1 follow?

2 A. Yes.

3 Q. What were those rules?

4 A. Everyone ate at the dinner table
5 was --

6 Q. Were there any other rules that --

7 A. He was not allowed in my brother's
8 room.

9 Q. Which brother was that?

10 A. Well, they both -- David.

11 Q. Were there any other rules?

12 A. Just, you were respectful, you picked
13 up your toys. Does -- general, you know,
14 rules.

15 Q. And what happened if Cory didn't
16 follow your mother's rules?

17 A. If he was blatant about it, he would
18 get spanked; but it would only be if he was in
19 total rebellion.

20 Q. Do you remember your mother spanking
21 Cory?

22 A. Two times.

23 Q. Was that with the paddle?

24 A. No.

25 Q. What was it with?

1 A. Her hand.

2 Q. How old was Cory the first time?

3 A. Two or three.

4 Q. And what happened?

5 A. He would go in David's room, and David
6 had a max -- a Matchbox collection of cars that
7 he had lined up a certain way and Cory would go
8 in and just move one car, either turn it
9 backwards, take it out of line, and then my
10 brother would come home from school and go in
11 his room and let my mother know that his toys
12 had been messed with. So --

13 Q. And were you there when this occurred?

14 A. Yes.

15 Q. Okay. Did you say anything?

16 A. Yes.

17 Q. What did you say?

18 A. I just tried to talk to Cory and
19 explained to him that if you continue to do
20 this, you will get a spanking; and he would
21 say, "Okay." And --

22 Q. Did your mother ask you if it was okay
23 to spank him?

24 A. No.

25 Q. Were you okay with how she was

1 disciplining him?

2 A. Yes.

3 Q. What was the second occasion?

4 A. He was eating -- we were eating lunch
5 at the table and he was chewing with his mouth
6 open, and my mother said you need to shut your
7 mouth while you're chewing, and he looked her
8 right in the face and opened his mouth as wide
9 as he could.

10 Q. How old was he?

11 A. Probably 2 or 3 at the time.

12 Q. What happened?

13 A. I left the table. We just all left.
14 I'm just like, "Okay. You're in trouble now."
15 I left.

16 Q. How could you tell he was in trouble?

17 A. Well, all you had to do was look at my
18 mother's face. We all left the room and went
19 in the garage, and he got spanked. Came back
20 in, we sat back down. And he did it again; and
21 I said, "We're going home now."

22 Q. When you all went out to the garage,
23 what did you hear?

24 A. She only spanked him one time, and he
25 cried, and then she said, "You need to listen

1 to me." She tried to talk to him.

2 Q. You could hear -- you could hear what
3 was happening?

4 A. Uh-huh.

5 Q. How could you know that she only
6 spanked him one time?

7 A. Because there was only one little, you
8 know, spanking noise.

9 Q. So, you could hear her --

10 A. Yes, we could hear everything.

11 Q. How did that make you feel?

12 A. Actually, I knew he was just being a
13 child and that he would have moments like that.
14 I didn't feel angry at him or at my mom. I
15 just thought of him being a child, a boy doing
16 what children do.

17 Q. And did you think spanking him was the
18 right way to address him being a child?

19 A. I was raised with spanking, yes.

20 Q. Why did everybody leave the table?

21 A. I don't have an answer for that.

22 Q. Why did you leave the table?

23 A. I knew what was about to happen.

24 Q. And did you not want to witness that?

25 A. I don't know why, you know, again.

1 Q. Do you know if he reacted to being
2 left?

3 A. No. They were in -- they had locked
4 eyes.

5 Q. "They" being your mother and Cory?

6 A. And Cory.

7 Q. Do you recall ever disciplining Cory
8 similarly?

9 A. He did get spanked, yes.

10 Q. And you spanked him?

11 A. Yes.

12 Q. Do you remember any specific examples?

13 A. No.

14 Q. Do you recall ever losing your temper
15 with Cory?

16 A. Yes.

17 Q. What sorts of things would Cory do to
18 cause you to lose your temper?

19 A. He would disappear.

20 Q. Can you give me an example?

21 A. Just if I turned my back just to go do
22 one thing, like with the laundry, washer, or
23 the dryer and turn around, he would be gone.

24 Q. Okay. And what would you do?

25 A. Go find him.

1 Q. Okay. And then what would you do?

2 A. Probably spank him or come back and
3 talk to him and try and get him to understand.

4 Q. Okay. Where would you spank him?

5 A. On the bottom.

6 Q. Did you ever hit him anywhere else?

7 A. I don't remember.

8 Q. Okay. Did anyone else discipline
9 Cory?

10 A. Philip did, and I saw his mom -- she
11 didn't discipline him. She just talked to him
12 really stern one day.

13 Q. Do you remember what that was about?

14 A. He did -- he ran out of the house and
15 did something, but I don't remember.

16 Q. Were you okay with how she spoke to
17 him?

18 A. Yes.

19 Q. Do you remember how Philip disciplined
20 him?

21 A. He would spank him occasionally, and
22 he would talk to him.

23 Q. Do you recall ever seeing any marks or
24 injuries on Cory?

25 A. He -- he -- there -- I don't remember

1 all the circumstances, but there were -- he
2 would bump his head. He would bump his legs.
3 He would be out on his Big Wheel playing. He
4 would come back in with bruises.

5 He fell downstairs one time, and
6 just general things that happened when, you
7 know, while he was playing.

8 Q. And was this while -- while he was
9 staying with you?

10 A. I don't remember if it was while --
11 some -- yes, when he would play on his Big
12 Wheel out beside my apartment, yes, but some of
13 the times he had marks and injuries were
14 normally when he was playing.

15 Q. And how did you know that they were
16 from playing?

17 A. He'd go outside with them and come
18 back in with them; and generally, there was
19 some circumstance that would point to it.

20 Q. And how old was he when he was outside
21 on his Big Wheel?

22 A. He would have been almost 4.

23 Q. Okay. And were you out there with
24 him?

25 A. At the times I took him out there,

1 yes. At the times he went out by himself,
2 which was constant, no.

3 Q. Okay. And when you did see marks or
4 bruises, would you ask him what happened?

5 A. Yes.

6 Q. And did you ever have to seek medical
7 treatment for him?

8 A. I don't remember.

9 Q. Do you remember what types of injuries
10 he had when he fell down the stairs?

11 A. He just had bruises.

12 Q. Okay. Do you recall ever seeing burns
13 on Cory?

14 A. No. Back to injuries, when he was a
15 baby and they caught him -- in his carrier, he
16 was on a table in the store, I set him in a
17 carrier on a table to look at rubber painter
18 pants, and he started doing this and flipped
19 over completely upside down on the floor
20 (indicating.)

21 Q. And how did he respond?

22 A. He was screaming.

23 Q. And is it possible his head hit the
24 floor?

25 A. I took him to the doctor that day, and

1 he did not see any indication. He had four
2 blankets around him in the carrier.

3 Q. Did he have any marks on him?

4 A. I don't remember seeing marks, but I
5 know that he was very upset for a couple hours.

6 Q. And how was that -- did his being
7 upset manifest?

8 A. Screaming and not being able to be
9 comforted.

10 Q. And approximately how old was he?

11 A. He was in that carrier, so he was less
12 than a year old.

13 Q. And did -- when you say he had
14 blankets around, was that around the bottom of
15 his body?

16 A. No. He was wrapped in blankets.

17 Q. And how did that make you feel?

18 A. When he fell? I was terrified. I had
19 thought I had killed him.

20 Q. And how did Philip react to that?

21 A. I don't remember.

22 I think he was just, like, be
23 careful when these things happen.

24 Q. Do you remember if the doctor ordered
25 any kind of testing?

1 A. No, I don't remember.

2 Q. Do you know whether they did any kind
3 of X-ray or CAT scan or anything?

4 A. I -- I don't -- to my -- no, I don't
5 remember that.

6 I just remember that he indicated
7 that because of the way that he was bundled and
8 the fact that he remained in the carrier and
9 didn't fall out, that he felt that he was safe
10 and didn't get injured.

11 Q. And was Cory still crying when you
12 were at the doctor?

13 A. No.

14 Q. How long after the fall were you at
15 the doctor?

16 A. I don't remember.

17 Q. Do you remember whether it was the
18 same day?

19 A. I believe it was.

20 Q. Okay. And just to circle back, so,
21 your recollection is that Cory never had burns
22 on him when he was 1 years old?

23 A. No.

24 Q. What about when he was 2 years old?

25 A. (Witness shakes head).

1 Q. And when he was 3 years old?

2 A. I don't remember.

3 Q. Okay.

4 A. I know there was an incident one time
5 where I had a curling iron that he touched.

6 Q. And what happened?

7 A. I think -- I just don't know the
8 details.

9 Q. Okay. How old was he?

10 A. Probably 3 or 4.

11 Q. Do you remember whether he got hurt?

12 A. He was burned, but it was not a
13 serious burn.

14 Q. Okay. And did you smoke cigarettes?

15 A. No.

16 Q. Did your mother smoke cigarettes?

17 A. Yes.

18 Q. And was your mother ever alone with
19 Cory?

20 A. Yes.

21 Q. Do you know whether she ever
22 accidentally burned him with a cigarette?

23 A. Not that I remember.

24 Q. Do you know whether she ever otherwise
25 burned him with a cigarette?

1 A. Not that I remember.

2 Q. And did you ever travel with Cory?

3 A. I took him to Pennsylvania.

4 Q. Okay. When was that?

5 A. I believe it would have been around
6 '78.

7 Q. And so, was Cory 4 years old then?

8 A. Yes.

9 Q. Were there any notable events during
10 that trip?

11 A. No.

12 Q. Okay. Did Philip know you were going
13 to Pennsylvania?

14 A. No.

15 Q. How did that trip come about?

16 A. Spur of the moment. Long weekend.

17 Q. Were you and Philip divorced at that
18 point?

19 A. Yes.

20 Q. And who had custody of Cory?

21 A. I believe at that point I still had
22 custody.

23 Q. And was that sole custody or joint
24 custody?

25 A. I don't -- we didn't -- I just had

1 custody. So, it would have been sole custody.

2 Q. And do you remember whether that was
3 because of what a court said, or was that the
4 arrangement that you and Philip had worked out?

5 A. It was the arrangement that we worked
6 out.

7 Q. And did Philip ever find out you were
8 in Pennsylvania?

9 A. I told him.

10 Q. Was that before the trip or after?

11 A. He wasn't available. He had gone to
12 Florida or somewhere.

13 Q. How long were you in Pennsylvania?

14 A. Less than four days.

15 Q. And where did Cory go when you got
16 back?

17 A. I do not remember. I believe he went
18 back to stay with Philip.

19 Q. Do you remember during that time
20 whether he was -- when he was living with you
21 and when he was living with Philip?

22 A. At that point, I -- he was not living
23 with me. He was living with Philip.

24 Q. Okay. So, was he with you on the
25 weekends then?

1 A. There -- I had -- I would see him when
2 I was off, yes.

3 Q. What were you -- working?

4 A. At that point I was working in a
5 factory.

6 Q. So, how often were you off?

7 A. I don't remember.

8 Q. Do you know how often you saw Cory?

9 A. I would see him at least every
10 weekend, I think.

11 Q. Okay. Did you ever live anywhere that
12 had a pool nearby?

13 A. Yes.

14 Q. Where was that?

15 A. In an apartment in Decatur.

16 Q. Was that the same apartment we were
17 talking about earlier where he would go out
18 with his Big Wheel?

19 A. Uh-huh.

20 Q. Did Cory ever go to the pool?

21 A. Yes.

22 Q. How would he get to the pool?

23 A. I would take him sometimes, and other
24 times he would ride his Big Wheel then.

25 Q. Did he ever go alone?

1 A. Yes.

2 Q. How old was he?

3 A. It would have been within that same
4 time frame, 3 and a half or 4.

5 Q. Did he know how to swim?

6 A. No.

7 Q. Did he ever fall in the pool?

8 A. I don't remember him falling in the
9 pool.

10 Q. Is it possible he did?

11 A. It was a pool, and he -- I don't -- I
12 don't remember.

13 Q. Did Cory ever frustrate you?

14 A. Yes.

15 Q. What frustrated -- how he would
16 frustrate you?

17 A. Well, that was a prime example.

18 Q. And how would you react?

19 A. I would go and get him and he would
20 either get a spanking or I'd talk to him.

21 Q. And how old was Cory when you and
22 Philip got divorced?

23 A. So, what, 2, maybe --

24 Q. I think you told us a little bit. Do
25 you remember anything else about what

1 Cory reacted to that -- strike that.

2 What changed with Cory when you
3 got divorced?

4 A. He was never really settled. He was
5 always -- the first couple hours that he was
6 with me, he'd want to go back and see his dad.
7 And he just never seemed to really settle down.
8 That's the only -- that's the way I know to put
9 it.

10 Q. Was that a change from how he was
11 before you got divorced?

12 A. Yes.

13 Q. Did you ever -- was Cory aware of why
14 you decided to divorce Philip?

15 A. Not as a child.

16 Q. Did you ever speak with Cory about the
17 divorce when he was a child?

18 A. I'm sure I did.

19 Q. Did you ever explain to him why you
20 chose to divorce Philip?

21 A. I don't remember the particulars of
22 the conversation.

23 Q. And where did you live after you got
24 divorced from Philip?

25 A. I think I lived at home for a little

1 while, and then I moved.

2 Q. And where did you move? Was that --

3 A. I had an apartment; and then I moved,
4 actually, out of the city into a smaller
5 country area outside of Priceville.

6 Q. And when you got divorced, where was
7 Cory living?

8 A. When the divorce -- he was with me.

9 Q. Okay. And I think earlier you said
10 there was a point at which he was with Philip
11 during the week and with you on the weekend.

12 A. Yes.

13 Q. When did that occur?

14 A. I had lost my mother. My family life
15 was pretty nonexistent, and I was working quite
16 a bit, and Philip offered to take him and help
17 with things.

18 Q. Do you recall how old Cory was at that
19 point?

20 A. No.

21 Q. When did you lose your mother?

22 A. 1977.

23 Q. And how did that affect you?

24 A. It was pretty -- it was very hard to
25 take. Once my mother died, my dad moved.

1 So -- and my sister and brother were at
2 college. So, I didn't have any family.

3 Q. How did that make you feel?

4 A. I was pretty lonely. I mean, I was.

5 Q. Do you think that affected Cory?

6 A. I would think so.

7 Q. How do you think it affected him?

8 A. Just that he knew I was not happy,
9 yeah.

10 Q. How did it make you feel when he
11 started living with Philip more often?

12 A. Relief and guilt.

13 Q. And why relief?

14 A. Relief that I didn't have to worry
15 about childcare and trying to make sure he had
16 a good caregiver and that, you know --
17 financial relief in that respect.

18 Q. And why guilty?

19 A. Guilty because I was feeling relieved.
20 And I also felt that I did not feel like I was
21 doing a good job at parenting by myself.

22 Q. Why is that?

23 A. I just felt very inadequate.

24 Q. Can you give me any specific examples?

25 A. Not -- no. There's -- no.

1 Q. Okay. Did you talk to your father
2 about who would take care of Cory?

3 A. What do you mean?

4 Q. Before -- before or when Cory went to
5 live with Philip, did you and your father ever
6 discuss that?

7 A. Yes.

8 Q. Did your father ever express his view
9 of where Cory should be?

10 A. With his dad.

11 Q. And did your father explain why?

12 A. He just felt like it was a better
13 choice.

14 Q. Did he express any thoughts to you as
15 a mother?

16 A. No.

17 Q. How did that make you feel?

18 A. Well, part of me was sad that he felt
19 that that was the best; and part of me was
20 somewhat relieved that he actually felt that
21 was the best decision.

22 Q. And do you know if you ever spoke to
23 Philip about it?

24 A. I believe they had a conversation.

25 Q. Do you know what occurred in that

1 conversation?

2 A. I don't.

3 Q. Okay. Do you think he was correct?

4 A. Correct?

5 Q. That Cory was better off going with
6 Philip?

7 A. I think at that point, I would have --
8 yes, I would agree with him.

9 MS. NIGHTINGALE DAWSON: I think
10 at this point, we'd like to go ahead and just
11 take a ten-minute break.

12 Thank you.

13 (Break.)

14 Q. (BY MS. NIGHTINGALE DAWSON) So, going
15 back to the period after your marriage had
16 ended, did you eventually leave Decatur?

17 A. Oh, eventually, yes.

18 Q. Do you recall when that was?

19 A. Somewhere in the 1990s.

20 Q. Did you -- that's when you left
21 Decatur, Alabama?

22 A. Uh, huh. Decatur, so, Decatur, I left
23 probably -- I would say in the late '80s. I
24 moved away, but I don't know the date.

25 Q. Did you see Cory up until you left in

1 the '80s?

2 A. No.

3 Q. When did you stop seeing Cory?

4 A. Somewhere in 1977, after my mom passed
5 away -- between the time of that and when my
6 dad left in '78.

7 Q. Okay. What was your relationship like
8 with Cory before you left?

9 A. It was not -- just what I've described
10 before.

11 Q. And do you -- I know you said you felt
12 like you hadn't bonded with Cory at the
13 hospital. Did you feel like you had bonded
14 with Cory by that point?

15 A. Yes.

16 Q. Why was that?

17 A. I'm not sure how -- what you're --

18 Q. Let me ask a different question.

19 How did you feel that the medical
20 problems you had during your pregnancy affected
21 your relationship with Cory?

22 A. The medical problems during my
23 pregnancy?

24 Q. The preeclampsia and the challenging
25 birth.

1 A. Affected?

2 Q. Your relationship with Cory.

3 A. Do you mean initially?

4 Q. Let me clarify. Do you feel like that
5 affected your relationship with Cory, at all?

6 A. I wasn't given a bonding time with
7 him, so, yes.

8 Q. Okay. And how did you feel about
9 having to raise Cory?

10 A. Terrified.

11 Q. So, why did you stop seeing Cory in
12 1977 to '78?

13 A. Well, I -- my medical condition; and
14 it just seemed the best choice in the
15 situation.

16 Q. Okay. And Cory, was, I guess, between
17 3 and 4 years old when you stopped seeing him?

18 A. I think so, yes.

19 Q. Did you tell Cory why that you were no
20 longer going to see him?

21 A. No.

22 Q. Do you know whether Cory knew?

23 A. I don't know.

24 Q. Do you remember the last time you saw
25 him?

1 A. Not the exact circumstance, no.

2 Q. Do you remember how you felt?

3 A. I felt ashamed that I had failed, and
4 I felt -- I felt insecure in the choice I made.

5 I felt that he had a good home
6 with his father.

7 Q. Did you make any plans to visit Cory
8 after that?

9 A. No.

10 Q. Did you remain living in the same
11 place in Decatur?

12 A. No.

13 Q. Where did you go?

14 A. I don't recall.

15 Q. Did you ever see him in town?

16 A. No.

17 Q. Was Philip living alone at that time?

18 A. No.

19 Q. Do you know who he was living with?

20 A. Lisa.

21 Q. And who is Lisa?

22 A. His wife.

23 Q. Do you know when he married her?

24 A. No.

25 Q. How did you become aware that they

1 were married?

2 A. I believe he told me.

3 Q. And how did you feel about that?

4 A. Angry.

5 Q. Why is that?

6 A. That he married someone else.

7 Q. Did you ever talk to Cory about Lisa?

8 A. I don't remember.

9 Q. Circling back to your relationship
10 with Philip just one more time, was there ever
11 an incident where he gave you a record?

12 A. Yes.

13 Q. What was that incident?

14 A. A fight and then the record was
15 broken.

16 Q. And how was the record broken?

17 A. On his head.

18 Q. And who broke the record?

19 A. I did.

20 Q. Okay. Do you remember what the fight
21 was about?

22 A. No.

23 Q. Was there ever a fight involving your
24 wedding rings?

25 A. Yes.

1 Q. What happened?

2 A. I don't remember. I know that the
3 fight was about his fidelity or infidelity and
4 I got angry and it was also about he had not
5 mowed the grass in two weeks.

6 Q. Do you remember what you did with the
7 wedding rings?

8 A. I threw them in the yard.

9 Q. Do you remember what happened after
10 that?

11 A. We fought, but we found them.

12 Q. Was your mother alive when you decided
13 to stop seeing Cory?

14 A. No.

15 Q. Was your father alive when you decided
16 to stop seeing Cory?

17 A. My father?

18 Q. Yes.

19 A. Yes.

20 Q. And how did your father react?

21 A. The same conversation we talked about
22 earlier, he just felt it was for the best.

23 Q. Okay. And did -- was your father
24 still living in Decatur at that time?

25 A. Yes, but I believe he left right after

1 that.

2 Q. And how did -- did you tell Philip
3 that you were no longer going to see Cory?

4 A. I -- no, he told me I was no longer
5 going to see Cory.

6 Q. And what did you -- how did you react
7 to that?

8 A. I was angry but knew it was for the
9 best.

10 Q. And do you know -- did you have any
11 sense of why he said that?

12 A. Yes, that he felt that his environment
13 was better for Cory and that I was too unstable
14 to be able to take care of him.

15 Q. Do you know why he felt you were
16 unstable?

17 A. We didn't discuss the reasons.

18 Q. Do you have a guess of why he felt you
19 were unstable?

20 A. Again, I had some physical issues; and
21 I also was not -- I was feeling very isolated,
22 and I just lost my mom was part of it, too.

23 Q. Do you have a sense of how Cory was
24 reacting to your situation?

25 A. I felt that he was comfortable with

1 his father. I don't know how he felt.

2 Q. Did he seem unhappy when he was being
3 with you?

4 A. No, not -- he -- he would be sad when
5 it would be time to go or when he first got
6 there, but then he was fine.

7 Q. Okay. Did you ever seek custody of
8 Cory after that?

9 A. Yes.

10 Q. When was that?

11 A. I don't know the year, but I did go to
12 an attorney to pursue custody.

13 Q. Do you have any recollection of
14 approximately how old Cory was?

15 A. He was in school with -- maybe 5th or
16 6th grade, at the most.

17 Q. And what prompted you to go to the
18 attorney?

19 A. I felt like my life had stabilized,
20 and a friend of mine's son went to school with
21 him and talked about him quite frequently. And
22 let me clarify.

23 I was not seeking custody. I
24 wanted visitation rights.

25 Q. And then what happened after that?

1 A. Philip was in an accident and was
2 seriously injured, and I had the choice of
3 going right -- the attorney came to me with a
4 couple choices. And I said, well, if he's been
5 injured and not working and I go in and take
6 him, that will be bad for the situation for
7 him. That won't be fair. So, that was the
8 decision that was made, that I would leave
9 visitation alone for a while.

10 Q. Did you ever ask -- talk to Philip
11 about wanting to see Cory?

12 A. Not at that point, but I did reach out
13 to him later when Cory was in high school.

14 Q. And why did you not reach out at that
15 point?

16 A. The point --

17 Q. When you went to see the attorney.

18 A. Well, again, the accident, and he was
19 familiar with their situation. And I felt like
20 it would really, really disrupt Cory if I was
21 in -- on the scene at that point.

22 Q. And did you keep in touch with Cory
23 after you stopped seeing him at 3 or 4?

24 A. No.

25 Q. Did you ever try to reach out to him

1 before he was in high school?

2 A. Yes.

3 Q. When was that?

4 A. When the attorney -- and then I also
5 knew he went to school with my friend's son.
6 And I attempted to -- well, I didn't -- the son
7 came home and said he invited Cory over for the
8 next day to play, and so I was going to be at
9 the house, and apparent -- and it didn't come
10 about.

11 Q. And what happened?

12 A. My understanding is that Cory told his
13 parents and his parents took him off the bus
14 that day and told him he couldn't come to
15 Dennis' house anymore.

16 Q. What was Dennis' last name?

17 A. Baxter.

18 Q. And how did that make you feel?

19 A. I was angry and hurt.

20 Q. Did you reach out to Philip at that
21 point?

22 A. No.

23 Q. Were there any other times you tried
24 to make contact with him before he was in high
25 school?

1 A. No.

2 Q. Did you send him birthday cards?

3 A. No.

4 Q. Did you -- do you know what
5 extracurricular activities he was involved in?

6 A. Not until I saw him in high school.

7 Q. Did you ever visit his schools before?

8 A. No.

9 Q. Do you know whether he was involved in
10 any sports as a child?

11 A. I don't.

12 Q. And you talked about trying to make
13 connection with him in high school. How old
14 was he when you tried to reconnect with him?

15 A. He was 16 at the time.

16 Q. Okay. And what did you do to try to
17 reconnect with him?

18 A. His father -- I reached out to his
19 father and talked to him.

20 Q. And what prompted that?

21 A. Convenience, really. His father was
22 headlining in a nightclub, so I knew where to
23 reach him.

24 Q. Did you know where to reach him before
25 that?

1 A. No.

2 Q. Did you try to reach him before that?

3 A. Only through the attorney.

4 Q. Do you know if he was still living in
5 the same place you lived with him?

6 A. No.

7 Q. Do you know if he lived on Mud Tavern
8 Road?

9 A. I did after I talked to the attorney.

10 Q. And was it the same place you had
11 lived with him?

12 A. No.

13 Q. Do you remember the address on Mud
14 Tavern Road that you lived at?

15 A. Well, no, I would say yes, because of
16 the paperwork we had; but I didn't remember
17 prior to that.

18 Q. And so, what happened when you reached
19 out to Philip?

20 A. He agreed, and I was able to see Cory.

21 Q. Okay. Did he explain why he agreed to
22 let you see Cory?

23 A. I don't remember the exact
24 conversation.

25 Q. Do you remember what you told him?

1 A. I don't remember the exact
2 conversation.

3 Q. When did you first see Cory at that --
4 during that period of time?

5 A. Some point after that, I saw him.

6 Q. And was Cory still 16?

7 A. Yes.

8 Q. And where did you see him?

9 A. We met at a steakhouse in Decatur.

10 Q. Did you talk on the phone before then?

11 A. I think so.

12 Q. Do you remember what you talked about
13 on the phone?

14 A. No.

15 Q. Do you remember what you -- was there
16 anybody else at the steakhouse with you?

17 A. His friend from school.

18 Q. Do you know what the friend's name
19 was?

20 A. Chris -- that's not -- I don't
21 remember his exact name.

22 Q. Okay. Do you remember what you talked
23 about?

24 A. We talked about why I hadn't seen him,
25 and we talked about his school.

1 Q. What did he say to you?

2 A. Just that he wished that I had reached
3 out sooner.

4 Q. How did that make you feel?

5 A. Sad.

6 Q. What did you explain to him?

7 A. I don't remember the exact nature of
8 that conversation.

9 Q. And did you connect again after that?

10 A. We did.

11 Q. When was that?

12 A. I don't know the timeline.

13 Q. Did you go out for another meal?

14 A. We did a couple things together.

15 Q. What did you do together?

16 A. I don't remember exactly where we went
17 and what we did, but he did come to church with
18 me one time.

19 Q. What church did you go to?

20 A. I went to Trinity Chapel in Decatur.

21 Q. Did you ask him to go to church with
22 you?

23 A. Yes.

24 Q. Did you take any trips with him?

25 A. Yes. We went to Pennsylvania.

1 Q. Do you remember how old he was then?

2 A. 16.

3 Q. Was that during the school year?

4 A. No -- yes, it was around Thanksgiving.

5 Q. Do you know what grade he was in?

6 A. 10th or 11th, I don't --

7 Q. That's -- and who did you see in

8 Pennsylvania?

9 A. My dad and my mom's family.

10 Q. Was your dad living in Pennsylvania at
11 that time?

12 A. No.

13 Q. How did your dad react to Cory?

14 A. When?

15 Q. In Pennsylvania -- in your
16 Pennsylvania trip.

17 A. He seemed fine. We stopped by and
18 I -- I believe we stopped by his house and
19 saw -- and stayed and talked with David, too.

20 Q. And how did Cory seem on that trip?

21 A. Initially, he was very quiet; but then
22 he warmed up.

23 Q. Did Philip know you were going?

24 A. Yes.

25 Q. And was he okay with that?

1 A. Yes.

2 Q. Did you and Cory take a trip to
3 Birmingham?

4 A. Yes.

5 Q. What did you do in Birmingham?

6 A. We went shopping.

7 Q. Did you stay overnight?

8 A. I don't remember.

9 Q. Was that your idea?

10 A. Yes.

11 Q. Did Cory seem to enjoy it?

12 A. Yes.

13 Q. Did Cory have any physical ailments?

14 A. He suffered from migraines.

15 Q. And do you know whether he sought
16 medical attention for that?

17 A. I don't know.

18 Q. Did you seek medical attention for
19 him?

20 A. I think I offered, but he -- I just
21 don't remember all the details.

22 Q. Do you remember what symptoms he had
23 from them?

24 A. He would get a headache that was
25 focally on his left side -- left side of his

1 head and he would get nauseated and lights
2 would bother his eyes.

3 Q. Did you ever have similar symptoms?

4 A. I had the same symptom.

5 Q. Did you ever seek treatment for that?

6 A. Yes.

7 Q. Did you ever speak to Philip about
8 that?

9 A. No.

10 Q. Do you remember how frequently he had
11 migraines?

12 A. I just know he had it coming back on
13 the trip.

14 Q. Was that coming back from where?

15 A. Pennsylvania.

16 Q. And where was Cory living when you
17 took your trip to Pennsylvania?

18 A. With Philip and Lisa.

19 Q. And was he also living with you when
20 you had your trip to Birmingham?

21 A. Yes.

22 Q. Did you live with -- eventually live
23 with Cory again?

24 A. Yes.

25 Q. Do you recall when that was?

1 A. No.

2 Q. Do you recall how long you lived
3 together?

4 A. No. It was a short duration.

5 Q. Do you think it might have been two
6 months?

7 A. I just don't know.

8 Q. How did it -- did you eventually move
9 out?

10 A. Did I move out? No.

11 Q. Did he move out --

12 A. He moved out.

13 Q. Okay. How -- did you stay in the same
14 place after that?

15 A. No, I moved.

16 Q. Did you stay in touch with Cory after
17 you moved?

18 A. Yes.

19 Q. How did you stay in touch with him?

20 A. He would come by, or I talked to him.

21 Q. Where were you living?

22 A. In Decatur.

23 Q. Was there a time where his -- you
24 placed his things outside?

25 A. Placed his things outside? Possibly.

1 I don't -- I don't remember circumstances of
2 his leaving.

3 Q. Do you remember how he reacted to you
4 two not living together anymore?

5 A. He was angry.

6 Q. Okay. Do you recall whether he was
7 upset?

8 A. I think angry means upset.

9 Q. And between then and 1995, do you
10 recall how often you were in touch?

11 A. After the -- when he left, we were in
12 touch maybe a couple times, not very many.

13 Q. And when you left Decatur in the late
14 1980s, did you keep in touch after you had
15 left?

16 A. That's when I was not seeing -- yeah,
17 that was before I had seen him. So, no, I
18 didn't stay in touch with him.

19 Q. Okay. And then you returned to
20 Decatur, then, after that?

21 A. Yes.

22 Q. And did you remain in Decatur?

23 A. Decatur and Birmingham.

24 Q. Okay. And do you remember where you
25 were living in 1995?

1 A. Not sure. Birmingham -- I believe
2 Birmingham.

3 Q. Do you know where you might have been
4 in 1996?

5 A. Then, again, either Birmingham or
6 Montana.

7 Q. In 1997?

8 A. (Witness shakes head.)

9 Whenever I left, I -- I stayed in
10 Montana a year.

11 Q. So in 1997, you may have been in
12 Birmingham and you might have been in Montana,
13 right?

14 A. Whatever year I left, I left
15 Birmingham for Montana.

16 Q. But you're not sure?

17 A. Huh-uh, I'm not.

18 Q. Do you know about Cory's trial?

19 A. Trial?

20 Q. When Cory was on trial for the crime?

21 A. I -- yes.

22 Q. Okay. And did any lawyer for Cory
23 ever reach out to interview you before Cory's
24 trial?

25 A. No.

1 Q. Did you ever hear from any lawyer --

2 A. No.

3 Q. -- at that time?

4 Did a lawyer ever ask you to
5 testify on Cory's behalf?

6 A. No.

7 Q. Would you have been willing to talk to
8 a lawyer for Cory?

9 A. Yes.

10 Q. Would you have been willing to testify
11 at his trial?

12 A. Yes.

13 MS. NIGHTINGALE DAWSON: I'd like
14 to take a break.

15 (Break.)

16 MS. NIGHTINGALE DAWSON: Thank
17 you, again, Ms. Maples. That completes our
18 examination, but we reserve the right to ask
19 additional questions, as well.

20 EXAMINATION

21 Q. (BY MS. HUGHES) Ms. Maples, I just
22 have a few questions for you. My name is Beth
23 Hughes. I've introduced myself to you. I'm
24 from the attorney general's office in Alabama.

25 You said that you don't know

1 whether you were living in Birmingham or not
2 when your son's trial was going on; is that
3 correct?

4 A. I -- it is.

5 Q. You just don't know whether or not --

6 A. Plan -- yes. It's just hard to put
7 that timeline.

8 Q. Did you -- but you knew that he had
9 been charged with this capital murder offense?

10 A. Yes.

11 Q. Did you get in touch with Philip to
12 see if you could get in touch with him?

13 A. I reached out to, I believe it was,
14 his mother and just stated that I was available
15 and gave a phone number if anyone needed me.

16 Q. Did you ask her who his attorneys were
17 at the time?

18 A. She would not talk to me very much.

19 Q. But you would have -- so you never
20 tried -- you never, yourself, tried to make
21 contact with his attorneys?

22 A. No, I did not.

23 Q. Did you visit him while he was in the
24 jail?

25 A. No.

1 Q. Why not?

2 A. Didn't know where he was being housed.
3 Didn't know any of the details. Did not know
4 anything.

5 Q. Have you visited him since he's been
6 in prison?

7 A. No, I have not.

8 MS. RATHBUN: Objection.

9 You can answer.

10 A. Okay. I don't have a reason.

11 Q. (BY MS. HUGHES) Did Cory know your
12 mother and your father?

13 A. Yes.

14 Q. Was he ever around your father when he
15 was drinking? Was Cory ever around your father
16 when he was drinking -- when your father was
17 drinking?

18 A. My father never drank.

19 Q. Oh, okay. I thought you said -- what
20 about your grandfather? Was he ever around
21 your grandfather when he was drinking?

22 A. No, he never was.

23 Q. And the only mental health diagnosis
24 you've ever had is for depression; is that
25 correct?

1 A. Correct.

2 Q. And that was in the 1990s?

3 A. Yes, ma'am.

4 Q. You said that you had some anger
5 issues and -- when you were in your teenage
6 years; is that correct?

7 A. Yes.

8 Q. Would you characterize that as normal
9 teenage behavior?

10 A. Yes.

11 MS. RATHBUN: Objection.

12 Q. (BY MS. HUGHES) You can answer the
13 question.

14 A. Yes.

15 Q. You were taking Prednisone for the
16 medical condition. Was that before or after
17 Cory was living with you? Did you have a
18 medical condition --

19 MS. NIGHTINGALE DAWSON:

20 Objection. Clarify the question.

21 Q. (BY MS. HUGHES) Did you -- when you
22 had your medical condition, was that before or
23 after Cory had -- Cory was living with Philip?

24 MS. NIGHTINGALE DAWSON:

25 Objection.

1 MS. RATHBUN: You can answer.

2 A. I don't know and after.

3 Q. (BY MS. HUGHES) So, your final answer
4 is that it was after he was no longer living
5 with you?

6 A. That I recall, yes.

7 Q. Okay. You also -- it's kind of
8 confusing to me whether or not you were
9 consciously using alcohol after you became
10 pregnant with Cory. You said that you all
11 would drink Boone's Farm. Did you consciously
12 drink after you were pregnant with him?

13 MS. NIGHTINGALE DAWSON:

14 Objection.

15 A. Yes.

16 Q. (BY MS. HUGHES) How many times?

17 A. I do not recall.

18 Q. How much would you drink?

19 A. Not much.

20 Q. In 1973 when he was born, was it a
21 normal practice for husbands to be in the labor
22 and delivery room at that time?

23 MS. NIGHTINGALE DAWSON:

24 Objection.

25 A. I don't -- I don't -- it was only my

1 delivery. I don't know how to answer that
2 question.

3 Q. (BY MS. HUGHES) And was it the normal
4 course of business for babies to stay in
5 nurseries more than be in the mother's rooms at
6 that time?

7 MS. NIGHTINGALE DAWSON:

8 Objection.

9 A. Yes.

10 Q. (BY MS. HUGHES) After he was born, you
11 don't remember how long you stayed with your
12 parents or --

13 A. I do not.

14 Q. Okay. Could have been a few weeks?

15 A. I have no recollection. I don't know.

16 Q. And your mother was helping you during
17 that time?

18 A. Yes.

19 Q. And when you were stressed out at that
20 time, you would become angry at Philip because
21 of whatever he was doing, but you weren't angry
22 at Cory at that time?

23 MS. NIGHTINGALE DAWSON:

24 Objection.

25 A. What are you referring to?

1 Q. (BY MS. HUGHES) You just said there
2 were times after you all got married when you
3 found out about his infidelity that you would
4 be angry at Philip. Did you display some of
5 that anger onto Cory?

6 A. Not that I recall.

7 Q. You didn't yell and scream at him
8 because of what had happened between you and
9 Philip?

10 A. I don't remember.

11 Q. You also said that during this time
12 you felt isolated and you had no one to turn
13 to. But then you also said when you caught
14 Philip cheating on you, that you went to your
15 mother's house; is that correct?

16 A. Yes.

17 Q. So, you did have somebody to turn to?

18 A. For that circumstance.

19 Q. And you said that you had -- that
20 Philip's mother would babysit him and that your
21 mother would babysit him and that you had a
22 babysitter and that his sister would babysit;
23 is that correct?

24 A. I -- yes.

25 Q. So, you had some people that would

1 help you from time to time take care of Cory?

2 A. Yes.

3 Q. And the time that you -- you spilled
4 the grease on Philip, that was a complete
5 accident?

6 A. Yes.

7 Q. And the time that you cut him when you
8 were in the kitchen, that was also a complete
9 accident?

10 A. Yes.

11 Q. You weren't angry or mad either one of
12 those times?

13 A. No.

14 Q. And at the time, '73 -- 1973, 1976, it
15 was not unusual for children to be spanked in
16 Alabama, was it?

17 MS. NIGHTINGALE DAWSON:

18 Objection.

19 A. I don't know how to answer that
20 question. I just don't know how to answer how
21 people in Alabama felt.

22 Q. (BY MS. HUGHES) You were living in
23 Alabama at the time, correct?

24 A. Right.

25 Q. Did you have friends that got spanked?

1 A. We never talked about -- I don't know.

2 Q. Okay. And when you spanked him, would
3 you describe how you spanked him? When you
4 spanked Cory. I'm sorry.

5 A. Usually it was my hand and his bottom.

6 Q. How many times?

7 A. I don't remember the exact number of
8 times.

9 Q. Two or three?

10 MS. RATHBUN: Objection.

11 A. I don't know.

12 Q. (BY MS. HUGHES) More than ten?

13 MS. NIGHTINGALE DAWSON:

14 Objection.

15 A. I don't know the answer.

16 Q. (BY MS. HUGHES) No recollection?

17 MS. NIGHTINGALE DAWSON:

18 Objection. Asked and answered.

19 A. I don't know.

20 Q. (BY MS. HUGHES) And the time when Cory
21 was flipped out of the carrier, was he strapped
22 into the carrier?

23 A. Yes.

24 Q. And he just rocked it off the table?

25 A. Yes.

1 Q. And that was also a complete accident?

2 A. Yes.

3 Q. And when Philip started -- began
4 having custody of Cory full time, there was no
5 court-ordered --

6 A. No.

7 Q. Cory's custody was not taken from you
8 by any Court?

9 A. No.

10 Q. You did that because you thought it
11 was in Cory's best interest?

12 A. Correct.

13 Q. I would assume that at the time it
14 was -- being a parent by yourself was a
15 difficult job?

16 A. Yes.

17 Q. And at the time, Lisa and Philip were
18 married and so he would have had somebody else
19 to help care and take care of Cory?

20 A. They were getting married, yes.

21 Q. Okay. But you felt like he was in
22 better hands with Philip than with you?

23 A. Yes.

24 Q. When you talked about Cory being
25 outside and being on his Big Wheel by himself,

1 were there other children that were out by
2 themselves at that time?

3 A. Yes.

4 Q. Were you around other parents or
5 grandparents who were smoking in front of the
6 children at the time?

7 A. I know some of -- yes.

8 Q. When you broke the record over
9 Philip's head, was that argument about
10 infidelity again?

11 A. I don't remember what's the cause.

12 Q. Would Cory have been in the room when
13 you did that?

14 A. I don't remember.

15 Q. Did it make him bleed?

16 A. No.

17 Q. The vinyl record?

18 A. Yes.

19 Q. Let's talk about the time when he
20 stayed with you for the two or three months he
21 was with you.

22 A. Uh-huh.

23 Q. Was Cory drinking when he was staying
24 with you?

25 A. Yes.

1 Q. Was he doing drugs?

2 A. I don't know.

3 Q. Did you -- did you -- suspicion that
4 he was using drugs at the time?

5 A. Yes.

6 Q. I just want to go over some
7 allegations. There's a habeas petition in this
8 case. There have been some allegations made
9 against you, and I just want to go over and ask
10 you if they're true or not.

11 A. What's a habeas?

12 Q. Habeas petition is the proceeding that
13 we're in now. It's before the Federal Judge in
14 Birmingham. We'll have a hearing in October
15 about this.

16 Did you ever attack Philip with a
17 metal hairbrush while he was driving, causing
18 his eye to bleed profusely?

19 A. I don't remember.

20 Q. Do you think that would be something
21 you would remember?

22 A. I would think so, yes.

23 Q. Did you ever swing a butcher knife at
24 him, attempting to slit his throat?

25 A. No.

1 Q. Did Philip attempt to protect himself
2 from this alleged attack and have a gash -- did
3 Philip attempt to protect himself from this
4 alleged attack and did he have a gash -- did he
5 ever have a gash on his shoulder to elbow from
6 a knife attack by you?

7 MS. NIGHTINGALE DAWSON:

8 Objection.

9 A. There's -- I'm not sure how to answer
10 this. The circumstances are not correct.

11 Q. (BY MS. HUGHES) Okay.

12 A. And it was not in self-defense. It
13 was an accident.

14 Q. Did you ever pour a skillet of hot
15 grease on him while he was asleep?

16 A. No.

17 Q. Do you recall ever choking one of your
18 friends while you were drinking and socializing
19 with her? Do you ever recall choking a friend?

20 MS. NIGHTINGALE DAWSON:

21 Objection.

22 A. No.

23 Q. (BY MS. HUGHES) Did you ever lock Cory
24 in a hot car outside a shopping mall with the
25 windows rolled up?

1 A. No.

2 Q. Did you tie Cory to a chair and beat
3 him with a broom handle?

4 A. No.

5 Q. Did you attempt to sell Cory when he
6 was 3 years old?

7 A. No.

8 Q. Did you ever violently strangle Cory?

9 A. No.

10 Q. I'm sorry. I -- these are
11 allegations, I just want to make sure.

12 Did you ever leave fingernail
13 scratches on Cory's face and neck from picking
14 him up by his neck?

15 A. No.

16 Q. Did you ever put him in a highchair
17 and put him in a closet for a significant
18 period of time?

19 A. No.

20 Q. When he was living with you, what was
21 your relationship like with Cory?

22 MS. NIGHTINGALE DAWSON:

23 Objection.

24 A. It was a difficult one.

25 Q. (BY MS. HUGHES) Why?

1 A. His behavior.

2 Q. What was his behavior like?

3 A. He was always angry.

4 Q. Did he -- did you attempt to figure
5 out why he was angry? Did you ask him why?

6 MS. NIGHTINGALE DAWSON:

7 Objection.

8 A. Yes.

9 Q. (BY MS. HUGHES) And what was his
10 response?

11 A. He never gave an answer.

12 Q. Did you ever call Lisa and ask her to
13 keep him because you wanted to be alone at some
14 point in time when he was living with you?

15 A. I don't recall. No.

16 MS. NIGHTINGALE DAWSON:

17 Objection.

18 Q. (BY MS. JACKSON HUGHES) Were you
19 verbally abusive to Cory when he was living
20 with you?

21 A. No.

22 Q. Just to be clear, you didn't move out
23 from where you were living? He moved out?

24 A. No, I -- no. I left -- I moved out,
25 and he stayed in the trailer.

1 Q. Okay. Did you let Philip and Lisa
2 know that he was staying there alone?

3 A. What?

4 Q. Was he staying there alone when you
5 moved out? This is -- I'm talking about when
6 he was 16 or 17.

7 A. Oh, oh, I'm sorry.

8 Q. I'm sorry. When he came to live with
9 you when he was 16, 17, you didn't move?

10 A. No.

11 Q. Okay. He moved out from you?

12 A. He moved out from me, but I did have a
13 move involved at that time.

14 Q. Okay.

15 A. There was a move.

16 Q. But you didn't abandon him at that
17 time?

18 A. No.

19 MS. HUGHES: We need just a few
20 minutes, please.

21 (Break.)

22 FURTHER EXAMINATION

23 Q (BY MS. NIGHTINGALE DAWSON) We just
24 have a few questions. Ms. Hughes read you
25 allegations about a butcher knife. Just so we

1 are clear, you did cut Philip with a butcher
2 knife at one point, correct?

3 A. Yes.

4 Q. When Cory was young --

5 A. But, sorry, can I ask a question?
6 Butcher knives, are they -- so many general
7 terms for things.

8 Q. Sure.

9 A. A butcher knife, yes, it would have
10 been a butcher knife.

11 Q. Okay. When Cory was young, did you
12 ever leave him in the car while you went
13 shopping?

14 A. I don't know.

15 Q. Counsel from the State read you some
16 allegations from what she described as the
17 habeas petition. If Cory believed that you did
18 those things, do you think that that would have
19 affected how he felt towards you?

20 A. Yes.

21 Q. Do you think it would have affected
22 his emotional state?

23 A. Yes.

24 MS. NIGHTINGALE DAWSON: Okay.
25 We have no further questions.

1 THE REPORTER: Would you like to
2 read and sign this deposition before we send it
3 out?

4 THE WITNESS: This?

5 THE REPORTER: The deposition.
6 I'm going to prepare a booklet and then I'll --

7 MS. RATHBUN: So what happens is
8 she'll give us the transcript. You can read it
9 and look for any typos, anything that you may
10 have said that you need to clarify a little
11 bit -- not really any substantive changes but
12 if something didn't come out exactly right, you
13 can make a change and then sign it. If names
14 are misspelled, things like that, we can help
15 facilitate that for you.

16 MS. NIGHTINGALE DAWSON: Just
17 make sure that it reflects what you meant to
18 say.

19 THE REPORTER: So, she is going
20 to read and sign your copy, then?

21 MS. RATHBUN: Yes.

22 THE REPORTER: And do you guys
23 need a copy?

24 MS. HUGHES: Yes.

25 MS. RATHBUN: Great. Thank you

so much.

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1 CERTIFICATE

2 I, SANDRA M. MIEROP, Notary Public
3 for the State of Alaska, and Certified Shorthand
4 Reporter, do hereby certify that the foregoing
5 proceedings were taken before me at the time and
6 place herein set forth; that the witness was sworn
7 to tell the truth; that the proceedings were
8 reported stenographically by me and later
9 transcribed by computer transcription; that the
10 witness requested signature; that the foregoing is
11 a true record of the proceedings taken at that
12 time; and that I am not a party to, nor do I have
13 any interest in, the outcome of the action herein
14 contained.

15 IN WITNESS WHEREOF, I have hereunto set
16 my hand and affixed my seal this 9th day of
17 August, 2019.

18 
19

SANDRA M. MIEROP

20 Notary Public, State of Alaska

My commission expires: 9/18/19

1 To: Anna M. Rathbun, Esq.

2 Re: Signature of Deponent Denise Maples

3 Date Errata due back at our offices: 9/11/2019

4
5 Greetings:

6 This deposition has been requested for read and sign by
7 the deponent. It is the deponent's responsibility to
8 review the transcript, noting any changes or corrections
9 on the attached PDF Errata. The deponent may fill
10 out the Errata electronically or print and fill out
11 manually.

12 Once the Errata is signed by the deponent and notarized,
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2 I, the undersigned, do hereby certify that I have read the
3 transcript of my testimony, and that

4 ____ There are no changes noted.

5 ____ The following changes are noted:

6
7 Pursuant to Civil Procedure, Rule 30. ALA. CODE § 5-30(e)
(2017). Rule 30(e) states any changes in form or
8 substance which you desire to make to your testimony shall
be entered upon the deposition with a statement of the
9 reasons given for making them. To assist you in making any
such corrections, please use the form below. If additional
pages are necessary, please furnish same and attach.

10
11 Page ____ Line ____ Change ____

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13 Reason for change ____

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Sworn to and subscribed before me this ____ day of

_____, _____.

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[& - adoption]

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Alabama Rules of Civil Procedure
Part V. Depositions and Discovery

Rule 30

(e) Submission to witness; changes; signing. When the testimony is fully transcribed the deposition shall be submitted to the witness for examination and shall be read to or by the witness, unless such examination and reading are waived by the witness and by the parties. Any changes in form or substance which the witness desires to make shall be entered upon the deposition by the officer with a statement of the reasons given by the witness for making them. The deposition shall then be signed by the witness, unless the parties by stipulation waive the signing or the witness is ill or cannot be found or refuses to sign. If the deposition is not signed by the witness within thirty (30) days of its submission to the witness, the officer shall sign it and state on the record the fact of the waiver or of the illness or absence of the witness or the fact of the refusal to sign together with the reason, if any, given therefor; the deposition may then be used as fully as though signed unless on a motion to suppress under Rule 32(d)(4) the

court holds that the reasons given for the refusal to sign require rejection of the deposition in whole or in part.

(F) Certification and filing by officer; exhibits; copies; notice of filing.

(1) The officer shall certify on the deposition that the witness was duly sworn by the officer and that the deposition is a true record of the testimony given by the witness. Unless otherwise ordered by the court, the officer shall then securely seal the deposition in an envelope indorsed with the title of the action and marked "Deposition of [here insert name of witness]" and shall promptly file it with the court in which the action is pending or send it by registered or certified mail to the clerk thereof for filing.

DISCLAIMER: THE FOREGOING CIVIL PROCEDURE RULES ARE PROVIDED FOR INFORMATIONAL PURPOSES ONLY. THE ABOVE RULES ARE CURRENT AS OF APRIL 1, 2019. PLEASE REFER TO THE APPLICABLE STATE RULES OF CIVIL PROCEDURE FOR UP-TO-DATE INFORMATION.

VERITEXT LEGAL SOLUTIONS
COMPANY CERTIFICATE AND DISCLOSURE STATEMENT

Veritext Legal Solutions represents that the foregoing transcript is a true, correct and complete transcript of the colloquies, questions and answers as submitted by the court reporter. Veritext Legal Solutions further represents that the attached exhibits, if any, are true, correct and complete documents as submitted by the court reporter and/or attorneys in relation to this deposition and that the documents were processed in accordance with our litigation support and production standards.

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